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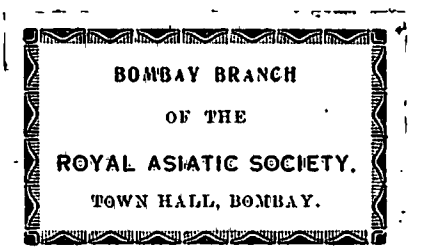

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Literary Society of Bombay

THE

SPEECHES

OF

CHARLES PHILLIPS, Esq.

DELIVERED

AT THE BAR,

AND

ON VARIOUS PUBLIC OCCASIONS,

IN

IRELAND AND ENGLAND.

EDITED BY HIMSELF.

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THE

FOLLOWING SPEECHES

ARE, BY PERMISSION,

DEDICATED TO

WILLIAM ROSCOE,

WITH

THE MOST SINCERE RESPECT

AND AFFECTION

OF THEIR

AUTHOR.

PREFACE.

(BY JOHN FINLAY, ESQ.)

THE Speeches of PHILLIPS are now, for the first time, offered to the world in an authentic form. So far as his exertions have been hitherto developed, his admirers, and they are innumerable, must admit, that the text of this volume is an acknowledged reference, to which future criticism may fairly resort, and from which his friends must deduce any title which the speaker may have created to the character of an orator.

The interests of his reputation impose no necessity of denying many of those imperfections which have been imputed to these productions. The value of all human exertion is comparative; and positive excellence is but a flattering designation, even of the best products of industry and mind.

There is, perhaps, but one way by which we could avoid all possible defects, and that is, by avoiding all possible exertion. The very fastidious,

and the very uncharitable, may too often be met with in the class of the indolent; and the man of talent is generally most liberal in his censure, whose industry has given him least title to praise. Thus defects and detraction are as the spots and shadow which of necessity adhere and attach to every object of honourable toil. Were it possible for the friends of Mr. Phillips to select those defects which could fill up the measure of unavoidable imperfection, and at the same time inflict least injury on his reputation, doubtless they would prefer the blemishes and errors natural to youth, consonant to genius, and consistent with an obvious and ready correction. To this description, we apprehend, may be reduced all the errors that have been imputed through a system of widespread and unwearied criticism, animated by that envy with which indolence too oft regards the success of industry and talent, and subsidised by power in its struggle to repress the reputation and importance of a rapidly rising young man, whom it had such good reason both to hate and fear. For it would be ignorance not to know, and knowing, it would be affectation to conceal, that his political principles were a drawback on his reputation; and that the dispraise of these speeches has been a discountable *quantity* for the promotion of placemen and the procurement of place.

This system of depreciation thus powerfully wielded, even to the date of the present publication, failed not in its energy, though it has in its object; nay more, it has succeeded in procuring for him the beneficial results of a multiplying reaction. To borrow the expression of an eminent classic, "the rays of their indignation collected upon him, served to illumine, but could not consume;" and doubtless, this hostility may have promoted this fact, that the materials of this volume are at this moment read in all the languages of Europe; and whatever be the proportion of their merits to their faults, they are unlikely to escape the attention of posterity.

The independent reader, whom this book may introduce to a first or more correct acquaintance with his eloquence, will therefore be disposed to protect his mind against these illiberal prepossessions thus actively diffused, on the double consideration that some defects are essential to such and so much labour, and that some detraction may justly be accounted for by the motives of the system whose vices he exposed. The same reader, if he had not the opportunity of hearing these speeches delivered by the author, will make in his favour another deduction for a different reason.

The great father of ancient eloquence was accustomed to say, that action was the first, and

second, and last quality of an orator. This was the dictum of a supreme authority; it was an exaggeration notwithstanding; but the observation must contain much truth to permit such exaggeration; and whilst we allow that delivery is not every thing, it will be allowed that it is much of the effect of oratory.

Nature has been bountiful to the subject of these remarks in the useful accident of a prepossessing exterior; an interesting figure, an animated countenance, and a demeanour devoid of affectation, and distinguished by a modest self-possession, give him the favourable opinion of his audience, even before he has addressed them. His eager, lively, and sparkling eye melts or kindles in pathos or indignation; his voice, by its compass, sweetness, and variety, ever audible and seldom loud, never hurried, inarticulate, or indistinct, secures to his audience every word that he utters, and preserves him from the painful appearance of effort.

His memory is not less faithful in the conveyance of his meaning, than his voice: unlike Fox in this respect, he never wants a word; unlike Burke, he never pretends to want one; and unlike Grattan, he never either wants or recals one.

His delivery is freed from every thing fantastic—is simple and elegant, impressive and sincere; and if we add the circumstance of his youth to his

other external qualifications, none of his contemporaries in this vocation can pretend to an equal combination of these accidental advantages.

If, then, action be a great part of the effect of oratory, the reader who has not heard him is excluded from that consideration, so important to a right opinion, and on which his excellence is unquestioned.

The ablest and severest of all the critics who have assailed him, (we allude, of course, to the Edinburgh Review,) in their criticism on Guthrie and Sterne, have paid him an involuntary and unprecedented compliment. He is the only individual in these countries to whom this literary work has devoted an entire article on a single speech; and when it is recollected that the basis of this criticism was an unauthorised and incorrect publication of a single forensic exertion in the ordinary routine of professional business, it is very questionable whether such a publication afforded a just and proportionate ground-work for so much general criticism, or a fair criterion of the alleged speaker's general merits. This criticism sums up its objections, and concludes its remarks, by the following commending observation, — that a more strict control over his fancy would constitute a remedy for his defects.

Exuberance of fancy is certainly a defect, but it is evidence of an attribute essential to an orator.

There are few men without some judgment, but there are many men without any imagination: the latter class never did, and never can produce an orator. Without imagination, the speaker sinks to the mere dry arguer, the matter-of-fact man, the calculator, or syllogist, or sophist; the dealer in figures; the compiler of facts; the mason, but not the architect of the pile: for the dictate of the imagination is the inspiration of oratory, which imparts to matter animation and soul.

Oratory is the great art of persuasion; its purpose is to give, in a particular instance, a certain direction to human action. The faculties of the orator are judgment and imagination; and reason and eloquence, the product of these faculties, must work on the judgment and feelings of his audience for the attainment of his end. The speaker who addresses the judgment alone may be argumentative, but never can be eloquent; for argument instructs without interesting, and eloquence interests without convincing: but oratory is neither; it is the compound of both; it conjoins the feelings and opinions of men; it speaks to the passions through the mind, and to the mind through the passions; and leads its audience to its just purpose by the combined and powerful agency of human reason and human feeling. The components of this combination will vary, of course, in proportion to the number and sagacity of the auditory which

the speaker addresses. With judges it is to be hoped that the passions will be weak: with public assemblies it is to be hoped that reasoning will be strong; but although the imagination may, in the first case, be unemployed, in the second it cannot be dispensed with; for if the advocate of virtue avoids to address the feelings of a mixed assembly, whether it be a jury or a political meeting, he has no security that their feeling, and their bad feelings, may not be brought into action against him: he surrenders to his enemy the strongest of his weapons, and by a species of irrational generosity contrives to insure his own defeat in the conflict. To juries and public assemblies alone the following speeches have been addressed; and it is by ascertaining their effect on these assemblies or juries, that the merit of the exertion should in justice be measured.

But there seems a general and prevalent mistake among our critics on this judgment. They seem to think that the taste of the individual is the standard by which the value of oratory should be decided. We do not consider oratory a mere matter of taste: it is a given means for the procurement of a given end; and the fitness of its means to the attainment of its end should be in chief the measure of its merit—of this fitness success ought to be evidence. The preacher who

can melt his congregation into tears, and excel others in his struggle to convert the superfluities of the opulent into a treasury for the wretched;—the advocate who procures the largest compensation from juries on their oaths, for injuries which they try;—the man who, like Mr. Phillips, can be accused (if ever any man was so accused, except himself) by grave lawyers, and before grave judges, of having procured a verdict from twelve sagacious and most respectable special jurors by fascination; of having, by the fascination of his eloquence, blinded them to that duty which they were sworn to observe:—the man who can be accused of this on oath, and the fascination of whose speaking is made a ground-work, though an unsuccessful one, for setting aside a verdict;—he may be wrong and ignorant in his study and practice of oratory; but, with all his errors and ignorance, it must be admitted, that he has in some manner stumbled on the shortest way for attaining the end of oratory—that is, giving the most forceful direction to human action and determination in particular instances. His eloquence may be a novelty, but it is beyond example successful; and its success and novelty may be another explanation for the hostility that assails. It may be matter of taste, but it certainly would not be matter of judgment or prudence in Mr. Phillips to depart

from a course which has proved most successful, and which has procured for him, within the last year, a larger number of readers through the world than ever in the same time resorted to the productions of any man of these countries. His youth carries with it not only much excuse, but much promise of future improvement; and doubtless he will not neglect to apply the fruits of study and the lights of experience to each succeeding exertion. But his manner is his own, and every man's own manner is his best manner; and so long as it works with this unexampled success, he should be slow to adopt the suggestions of his enemies, although he should be sedulous in adopting all legitimate improvement. To that very exuberance of imagination, we do not hesitate to ascribe much of his success; whilst, therefore, he consents to control it, let him be careful lest he clips his wings: nor is the strength of this faculty an argument, although it has been made an argument, against the strength of his reasoning powers; for let us strip these Speeches of every thing whose derivation could be, by any construction, assigned to his fancy; let us apply this rule to his judicial and poli 'cal exertions—for instance, to the speech on Guthrie and Sterne, and the late one to the gentlemen of Liverpool—let their topics be translated into plain, dull language, and

then we would ask, what collection of topics could be more judicious, better arranged, or classed in a more lucid and consecutive order by the most tiresome wisdom of the sagest arguer at the bar? Is there not abundance to satisfy the judgment, even if there were nothing to sway the feelings, or gratify the imagination? How preposterous, then, the futile endeavour to undervalue the solidity of the ground-work, by withdrawing attention to the beauty of the ornament; or to maintain the deficiency of strength in the base, merely because there appears so much splendour in the structure.

Unaided by the advantages of fortune or alliance, under the frown of political power and the interested detraction of professional jealousy, confining the exercise of that talent which he derives from his God to the honour, and succour, and protection of his creatures—this interesting and highly-gifted young man runs his course like a giant, prospering and to prosper;—in the court as a flaming sword, leading and lighting the injured to their own; and in the public assembly exposing her wrongs—exacting her rights—conquering envy—trampling on corruption—beloved by his country—esteemed by a world—enjoying and deserving an unexampled fame—and actively employing the summer of his life in gathering honours for his name, and garlands for his grave!

CONTENTS.

Page

SPEECH delivered at a Public Dinner given to Mr. Finlay by the Roman Catholics of the Town and County of Sligo .....

Speech delivered at an Aggregate Meeting of the Roman Catholics of Cork 19

Speech delivered at a Dinner given on Dinas Island, in the Lake of Killarney, on Mr. Phillips's Health being given, together with that of Mr. Payne, a young American 37

Speech delivered at an Aggregate Meeting of the Roman Catholics of the County and City of Dublin. 41

Petition referred to in the preceding Speech, drawn by Mr. Phillips at the request of the Roman Catholics of Ireland 70

The Address to H. R. H. the Princess of Wales, drawn by Mr. Phillips at the request of the Roman Catholics of Ireland 73

Speech delivered by Mr. Phillips at a Public Dinner given to him by the Friends of Civil and Religious Liberty in Liverpool 75

Page

Speech of Mr. Phillips in the case of Guthrie *v.* Sterne, delivered in the Court of Common Pleas, Dublin ... 90

Speech of Mr. Phillips in the case of O'Mullan *v.* M'Korkill, delivered in the County Court-house, Galway 117

Speech in the case of Connaghton *v.* Dillon, delivered in the County Court-house of Roscommon 141

Speech of Mr. Phillips in the case of Creighton *v.* Townsend, delivered in the Court of Common Pleas, Dublin 161

Speech in the case of Blake *v.* Wilkins, delivered in the County Court-house, Galway 179

A Character of Napoleon Buonaparte, down to the Period of his Exile to Elba 200

A

SPEECH

DELIVERED AT A PUBLIC DINNER GIVEN TO

MR. FINLAY

BY

THE ROMAN CATHOLICS

OF THE TOWN AND COUNTY OF

SLIGO.

I THINK, Sir, you will agree with me, that the most experienced speaker might justly tremble in addressing you after the display you have just witnessed. What, then, must I feel who never before addressed a public audience? However, it would be but an unworthy affectation in me were I to conceal from you the emotions with which I am agitated by this kindness. The exaggerated estimate which other counties have made of the few services so young a man could render, has, I hope, inspired me with the sentiments it ought; but *here*, I do confess to you, I feel no ordinary sensation—here, where every object springs some new association, and the loveliest objects, mellowed as they are by time, rise painted on the eye

of memory—here, where the light of heaven first blessed my infant view, and nature breathed into my infant heart that ardour for my country which nothing but death can chill—here, where the scenes of my childhood remind me, how innocent I was, and the grave of my fathers admonish me, how pure I should continue—here, standing as I do amongst my fairest, fondest, earliest sympathies,—such a welcome, operating, not merely as an affectionate tribute, but as a moral testimony, does indeed quite oppress and overwhelm me. Oh! believe me, warm is the heart that feels, and willing is the tongue that speaks; and still, I cannot, by shaping it to my rudely inexpressive phrase, shock the sensibility of a gratitude too full to be suppressed, and yet (how far!) too eloquent for language.

If any circumstance could add to the pleasure of this day, it is that which I feel in introducing to the friends of my youth the friend of my adoption, though perhaps I am committing one of our imputed blunders when I speak of introducing one whose patriotism has already rendered him familiar to every heart in Ireland; a man, who, conquering every disadvantage, and spurning every difficulty, has poured around our misfortunes the splendour of an intellect that at once irradiates and consumes them. For the services he has rendered to his country, from my heart I thank him, and, for myself, I offer him a personal, it may be a selfish, tribute for saving me, by his presence this night, from an impotent attempt at his pane-

gyric. Indeed, gentlemen, you can have little idea of what he has to endure, who, in these times, advocates your cause. Every calumny which the venal, and the vulgar, and the vile, are lavishing upon you is visited with exaggeration upon us. We are called traitors, because we would rally round the crown an unanimous people. We are called apostates, because we will not persecute Christianity. We are branded as separatists, because of our endeavours to annihilate the fetters that, instead of binding, clog the connection. To these may be added, the frowns of power, the envy of dulness, the mean malice of exposed self-interest, and, it may be, in despite of all natural affection, even the discountenance of kindred! Well, be it so,—

> For thee, fair freedom, welcome all the past,
> For thee, my country, welcome even the last!

I am not ashamed to confess to you, that there was a day, when I was as bigotted as the blackest; but I thank the Being who gifted me with a mind not quite impervious to conviction, and I thank you, who afforded such convincing testimonies of my error. I saw you enduring with patience the most unmerited assaults, bowing before the insults of revived anniversaries; in private life, exemplary; in public, inoffending; in the hour of peace, asserting your loyalty; in the hour of danger, proving it. Even when an invading enemy victoriously penetrated into the very heart of our county, I saw the banner of your allegiance beam-

ing refutation on your slanderers; was it a wonder, then, that I seized my prejudices, and with a blush burned them on the altar of my country!

The great question of Catholic, shall I not rather say, of Irish emancipation, has now assumed that national aspect which imperiously challenges the scrutiny of every one. While it was shrouded in the mantle of religious mystery, with the temple for its sanctuary, and the pontiff for its sentinel, the vulgar eye might shrink and the vulgar spirit shudder. But now it has come forth, visible and tangible, for the inspection of the laity; and I solemnly protest, dressed as it has been in the double haberdashery of the English minister and the Italian prelate, I know not whether to laugh at its appearance, or to loathe its pretensions — to shudder at the deformity of its original creation, or smile at the grotesqueness of its foreign decorations. Only just admire this far-famed security bill,—this motley compound of oaths and penalties, which, under the name of emancipation, would drag your prelates with an halter about their necks to the vulgar scrutiny of every village-tyrant, in order to enrich a few political traders, and distil through some state alembic the miserable rinsings of an ignorant, a decaying, and degenerate aristocracy! Only just admire it! Originally engendered by our *friends* the opposition, with a *cuckoo* insidiousness, they swindled it into the nest of the treasury ravens, and when it had been fairly hatched with the beak of the one, and the nakedness of the other, they sent it for its feathers to Mon-

SEIGNEUR QUARANTOTTI, who has obligingly transmitted it with the hunger of its parent, the rapacity of its nurse, and the coxcombry of its *plumassier*, to be baptized by the bishops, and received *æquo gratoque animo* by the people of Ireland!! Oh, thou sublimely ridiculous Quarantotti! Oh, thou superlative coxcomb of the conclave! what an estimate hast thou formed of the MIND of Ireland! Yet why should I blame this wretched scribe of the Propaganda! He had every right to speculate as he did; all the chances of the calculation were in his favour. Uncommon must be the people over whom centuries of oppression have revolved in vain! Strange must be the mind which is not subdued by suffering! sublime the spirit which is not debased by servitude! God, I give thee thanks!—he knew not IRELAND. Bent — broken — manacled as she has been, she will not bow to the mandate of an Italian slave, transmitted through an English vicar. For my own part, as an Irish Protestant, I trample to the earth this audacious and desperate experiment of authority; and for you, as Catholics, the time is come to give that calumny the lie which represents you as subservient to a foreign influence. That influence, indeed, seems not quite so unbending as it suited the purposes of bigotry to represent it, and appears now not to have conceded more, only because more was not demanded. The theology of the question is not for me to argue; it cannot be in better hands than in those of your bishops; and I can have no doubt that when they bring their

rank, their learning, their talents, their piety, and their patriotism to this sublime deliberation, they will consult the dignity of that venerable fabric which has stood for ages, splendid and immutable; which time could not crumble, nor persecutions shake, nor revolutions change; which has stood amongst us like some stupendous and majestic Appenine, the earth rocking at its feet, and the heavens roaring round its head, firmly balanced on the base of its eternity; the relic of WHAT WAS; the solemn and sublime memento of WHAT MUST BE!

Is this my opinion as a professed member of the church of England? Undoubtedly it is. As an IRISHMAN, I feel my liberties interwoven, and the best affections of my heart as it were *enfibred* with those of my Catholic countrymen; and as a PROTESTANT, convinced of the purity of my own faith, would I not debase it by postponing the powers of reason to the suspicious instrumentality of this world's conversion? No; surrendering as I do, with a proud contempt, all the degrading advantages with which an ecclesiastical usurpation would invest me; so I will not interfere with a blasphemous intrusion between any man and his Maker. I hold it a criminal and accursed sacrilege, to rob even a beggar of a single motive for his devotion; and I hold it an equal insult to my own faith, to offer me any boon for its profession. This pretended emancipation-bill passing into a law, would, in my mind, strike a blow not at this sect or at that sect, but at the very vitality of Christianity itself. I am

thoroughly convinced that the anti-Christian connection between church and state, which it was suited to increase, has done more mischief to the Gospel interests, than all the ravings of infidelity since the crucifixion. The sublime Creator of our blessed creed never meant it to be the channel of a courtly influence, or the source of a corrupt ascendancy. He sent it amongst us to heal, not to irritate; to associate, not to seclude; to collect together, like the baptismal dove, every creed and clime and colour in the universe, beneath the spotless wing of its protection. The union of church and state only converts good Christians into bad statesmen, and political knaves into pretended Christians. It is at best but a foul and adulterous connection, polluting the purity of heaven with the abominations of earth, and hanging the tatters of a *political piety* upon the cross of an insulted Saviour. RELIGION, HOLY RELIGION, ought not, in the words of its Founder, to be "led into temptation." The hand that holds her chalice should be pure, and the priests of her temple should be spotless as the vestments of their ministry. Rank only degrades, wealth only impoverishes, ornaments but disfigure her. I would have her pure, unpensioned, unstipendiary; she should rob the earth of nothing but its sorrows: a divine arch of promise, her extremities should rest on the horizon, and her span embrace the universe; but her only sustenance should be the tears that were exhaled and embellished by the sun-beam. Such is my idea of what religion ought to be. What

would this bill make it? A mendicant of the Castle, a menial at the levee, its manual the red-book, its liturgy the pension-list, its gospel the will of the minister! Methinks I see the stalled and fatted victim of its creation, cringing with a brute suppliancy through the venal mob of ministerial flatterers, crouching to the ephemeral idol of the day, and, like the devoted sacrifice of ancient heathenism, glorying in the garland that only decorates him for death! I will read to you the opinions of a celebrated Irishman, on the suggestion in his day of a bill similar to that now proposed for our oppression. He was a man who added to the pride not merely of his country but of his species—a man who robed the very soul of inspiration in the splendours of a pure and overpowering eloquence. I allude to Mr. Burke—an authority at least to which the sticklers for establishments can offer no objection. "Before I had written thus far," says he, in his letter on the penal laws, "I heard of a scheme for giving to the Castle the patronage of the presiding members of the Catholic clergy. At first I could scarcely credit it, for I believe it is the first time that the presentation to other people's alms has been desired in any country. Never were the members of one religious sect fit to appoint the pastors to another. It is a great deal to suppose that the present Castle would nominate bishops for the Roman church in Ireland with a religious regard for its welfare. Perhaps they cannot, perhaps they dare not do it. But suppose them to be as well inclined, as I know

that I am, to do the Catholics all kinds of justice, I declare I would not, if it were in my power, take that patronage on myself. I know I ought not to do it. I belong to another community; and it would be an intolerable usurpation in me, where I conferred no benefit, or even if I did confer temporal advantages. How can the Lord-Lieutenant form the least judgment on their merits so as to decide which of the popish priests is fit to be a bishop? It cannot be. The idea is ridiculous. He will hand them over to Lords-Lieutenant of counties, justices of the peace, and others, who, for the purpose of vexing and turning into derision this miserable people, will pick out the worst and most obnoxious they can find amongst the clergy, to govern the rest. Whoever is complained against by his brother, will be considered as persecuted; whoever is censured by his superior, will be looked upon as oppressed; whoever is careless in his opinions, loose in his morals, will be called a liberal man, and will be supposed to have incurred hatred because he was not a bigot. Informers, tale-bearers, perverse and obstinate men, flatterers, who turn their back upon their flock and court the Protestant gentlemen of their county, will be the objects of preferment, and then I run no risk in foretelling, that whatever order, quiet, and morality you have in the country will be lost." Now, let me ask you, is it to such characters as those described by Burke, that you would delegate the influence imputed to your priesthood? Believe me, you would soon see them

transferring their devotion from the CROSS to the CASTLE; wearing their sacred vestments but as a masquerade-appendage, and under the degraded passport of the Almighty's name, sharing the pleasures of the court, and the spoils of the people. When I say this, I am bound to add, and I do so from many proud and pleasing recollections, that I think the impression on the Catholic clergy of the present day would be late, and would be delible. But it is human nature. Rare are the instances in which a contact with the court has not been the beginning of corruption. The man of God is peculiarly disconnected with it. It directly violates his special mandate, who took his birth from the manger, and his disciples from the fishing-boat. JUDAS was the first who received the money of power, and it ended in the disgrace of his creed, and the death of his master. If I was a Catholic, I would peculiarly deprecate any interference with my priesthood. Indeed, I do not think, in any one respect in which we should wish to view the delegates of the Almighty, that, making fair allowances for human infirmity, they could be amended. The Catholic clergy of Ireland are rare examples of the doctrines they inculcate. Pious in their habits, almost primitive in their manners, they have no care but their flock — no study but their Gospel. It is not in the gaudy ring of courtly dissipation that you will find the MURRAYS, the CORRINGERS, and the MOYLANS of the present day — not at the levee, or the lounge, or the election-riot. No; you will find

them wherever good is to be done or evil to be corrected — rearing their mitres in the van of misery, consoling the captive, reforming the convict, enriching the orphan; ornaments of this world, and emblems of a better; preaching their God through the practice of every virtue; monitors at the confessional, apostles in the pulpit, saints at the death-bed, holding the sacred water to the lip of sin, or pouring the redeeming unction on the agonies of despair. Oh, I would hold him little better than the Promethean robber, who would turn the fire of their eternal altar into the impure and perishable mass of this world's preferment. Better by far that the days of ancient barbarism should revive — better that your religion should again take refuge among the fastnesses of the mountain, and the solitude of the cavern — better that the rack of a murderous bigotry should again terminate the miseries of your priesthood, and that the gate of freedom should be only open to them through the gate of martyrdom, than that they should gild their missals with the wages of a court, and expect their ecclesiastical promotion, not from their superior piety, but their comparative prostitution. But why this interference with your principles of conscience? Why is it that they will not erect your liberties save on the ruin of your temples? Why is it that in this day of peace they demand securities from a people who in the day of danger constituted their strength? When were they denied every security that was reasonable? Was it in 1776, when a cloud of enemies, hovering

on our coast, saw every heart a shield, and every hill a fortress? Did they want securities in Catholic Spain? Were they denied securities in Catholic Portugal? What is their security to-day in Catholic Canada? Return—return to us our own glorious WELLINGTON, and tell incredulous England what was her security amid the lines of Torres Vedras, or on the summit of Barrossa! Rise, libelled martyrs of the Peninsula!—rise from your "gory bed," and give security for your childless parents! No, there is not a Catholic family in Ireland, that for the glory of Great Britain is not weeping over a child's, a brother's, or a parent's grave, and yet still she clamours for securities! Oh, Prejudice, where is thy reason! Oh, Bigotry! where is thy blush! If ever there was an opportunity for England to combine gratitude with justice, and dignity with safety, it is the present. Now, when Irish blood has crimsoned the cross upon her naval flag, and an Irish hero strikes the harp to victory upon the summit of the Pyrenees. England—England! do not hesitate. This hour of triumph may be but the hour of trial; another season may see the splendid panorama of European vassalage, arrayed by your ruthless enemy, and glittering beneath the ruins of another capital—perhaps of LONDON. Who can say it? A few months since, Moscow stood as splendid and as secure. Fair rose the morn on the patriarchal city—the empress of her nation, the queen of commerce, the sanctuary of strangers, her thousand spires pierced the very heavens, and her domes of gold reflected

back the sun-beams. The spoiler came; he marked her for his victim; and, as if his very glance was destiny, even before the nightfall, with all her pomp, and wealth, and happiness, she withered from the world! A heap of ashes told where once stood Moscow! Merciful God, if this lord of desolation, heading his locust legions, were to invade our country; though I do not ask what would be your determination; though, in the language of our young enthusiast, I am sure you would oppose him with "a sword in one hand, and a torch in the other;" still I do ask, and ask with fearlessness, upon what single principle of policy or of justice, could the advocates for your exclusion solicit your assistance — could they expect you to support a constitution from whose benefits you were debarred? With what front could they ask you to recover an ascendency, which in point of fact was but re-establishing your bondage?

It has been said that there is a faction in Ireland ready to join this despot — "a French party," as Mr. GRATTAN thought it decent, even in the very senate-house, to promulgate. Sir, I speak the universal voice of Ireland when I say, she spurns the imputation. There is no "French party" here; but there is — and it would be strange if there was not — there is an Irish party — men who cannot bear to see their country taunted with the mockery of a constitution — men who will be content with no connection that refuses them a community of benefits while it imposes a community of privations — men who, sooner than see this land polluted by

the footsteps of a slave, would wish the ocean-wave became its sepulchre, and that the orb of heaven forgot where it existed. It has been said too (and when we were to be calumniated, what has not been said?) that Irishmen are neither fit for freedom or grateful for favours. In the first place, I deny that to be a favour which is a *right;* and in the next place, I utterly deny that a system of conciliation has ever been adopted with respect to Ireland. Try them, and, my life on it, they will be found grateful. I think I know my countrymen; they cannot help being grateful for a benefit; and there is no country on the earth where one would be conferred with more characteristic benevolence. They are, emphatically, the school-boys of the heart — a people of sympathy; their acts spring instinctively from their passions; by nature ardent, by instinct brave, by inheritance generous. The children of impulse, they cannot avoid their virtues; and to be other than noble, they must not only be unnatural but unnational. Put my panegyric to the test. Enter the hovel of the Irish peasant. I do not say you will find the frugality of the Scotch, the comfort of the English, or the fantastic decorations of the French cottager; but I do say, within those wretched bazaars of mud and misery, you will find sensibility the most affecting, politeness the most natural, hospitality the most grateful, merit the most unconscious; their look is eloquence, their smile is love, their retort is wit, their remark is wisdom — not a wisdom borrowed from the dead, but that with which nature has

herself inspired them; an acute observance of the passing scene, and a deep insight into the motives of its agents. Try to deceive them, and see with what shrewdness they will detect; try to outwit them, and see with what humour they will elude; attack them with argument, and you will stand amazed at the strength of their expression, the rapidity of their ideas, and the energy of their gesture! In short, God seems to have formed our country like our people: he has thrown round the one its wild, magnificent, decorated rudeness; he has infused into the other the simplicity of genius and the seeds of virtue: he says audibly to us, "Give them cultivation."

This is the way, gentlemen, in which I have always looked upon your question — not as a party, or a sectarian, or a Catholic, but as an Irish question. Is it possible that any man can seriously believe the paralysing five millions of such a people as I have been describing, can be a benefit to the empire! Is there any man who deserves the name not of a statesman but of a rational being, who can think it politic to rob such a multitude of all the energies of an honourable ambition! Look to Protestant Ireland, shooting over the empire those rays of genius, and those thunderbolts of war, that have at once embellished and preserved it. I speak not of a former æra. I refer not for my example to the day just passed, when our Burkes, our Barrys, and our Goldsmiths, exiled by this system from their native shore, wreathed the "immortal shamrock" round the brow of painting, poetry, and eloquence!

But now, even while I speak, who leads the British senate? A Protestant Irishman! Who guides the British arms? A Protestant Irishman! And why, why is Catholic Ireland, with her quintuple population, stationary and silent? Have physical causes neutralised its energies? Has the religion of Christ stupefied its intellect? Has the God of mankind become the partisan of a monopoly, and put an interdict on its advancement? Stranger, do not ask the bigotted and pampered renegade who has an interest in deceiving you; but open the penal statutes, and weep tears of blood over the reason. Come, come yourself, and see this unhappy people; see the Irishman, the only alien in Ireland, in rags and wretchedness, staining the sweetest scenery ever eye reposed on, persecuted by the extorting middle-man of some absentee landlord, plundered by the lay-proctor of some rapacious and unsympathising incumbent, bearing through life but insults and injustice, and bereaved even of any hope in death by the heart-rending reflection that he leaves his children to bear like their father an abominable bondage! Is this the fact? Let any man who doubts it walk out into your streets, and see the consequences of such a system; see it rearing up crowds in a kind of apprenticeship to the prison, absolutely permitted by their parents from utter despair to lisp the alphabet and learn the alphabet of profligacy! For my part, never did I meet one of these youthful assemblages without feeling within me a melancholy emotion. How often have I thought, within

that little circle of neglected triflers who seem to have been born in caprice and bred in orphanage, there may exist some mind formed of the finest mould and wrought for immortality; a soul swelling with the energies and stamped with the patent of the Deity, which under proper culture might perhaps bless, adorn, immortalise, or ennoble empires; some CINCINNATUS, in whose breast the destinies of a nation may lie dormant; some MILTON, "pregnant with celestial fire;" some CURRAN, who, when thrones were crumbled and dynasties forgotten, might stand the landmark of his country's genius, rearing himself amid regal ruins and national dissolution, a mental pyramid in the solitude of time, beneath whose shade things might moulder, and round whose summit eternity must play. Even in such a circle the young DEMOSTHENES might have once been found, and HOMER, the disgrace and glory of his age, have sung neglected! Have not other nations witnessed those things, and who shall say that nature has peculiarly degraded the intellect of Ireland? Oh! my countrymen, let us hope that under better auspices and a sounder policy, the ignorance that thinks so may meet its refutation. Let us turn from the blight and ruin of this wintry day to the fond anticipation of an happier period, when our prostrate land shall stand erect among the nations, fearless and unfettered; her brow blooming with the wreath of science, and her path strewed with the offerings of art; the breath of heaven blessing her flag, the extremities of earth acknowledging

her name, her fields waving with the fruits of agriculture, her ports alive with the contributions of commerce, and her temples vocal with unrestricted piety. Such is the ambition of the true patriot; such are the views for which we are calumniated! Oh, divine ambition! Oh, delightful calumny! Happy he who shall see thee accomplished! Happy he who through every peril toils for thy attainment! Proceed, friend of Ireland and partaker of her wrongs, proceed undaunted to this glorious consummation. Fortune will not gild, power will not ennoble thee; but thou shalt be rich in the love and titled by the blessings of thy country; thy path shall be illumined by the public eye, thy labours lightened by the public gratitude; and oh! remember—amid the impediments with which corruption will oppose, and the dejection with which disappointments may depress you—remember you are acquiring a name to be cherished by the future generations of earth, long after it has been enrolled amongst the inheritors of heaven.

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SPEECH

DELIVERED AT

AN AGGREGATE MEETING

OF

THE ROMAN CATHOLICS

OF

CORK.

IT is with no small degree of self-congratulation that I at length find myself in a province which every glance of the eye, and every throb of the heart, tells me is truly Irish; and that congratulation is not a little enhanced by finding that you receive me not as quite a stranger. Indeed, if to respect the Christian without regard to his creed, if to love the country but the more for its calamities, if to hate oppression though it be robed in power, if to venerate integrity though it pine under persecution, gives a man any claim to your recognition; then, indeed, I am not a stranger amongst you. There is a bond of union between brethren, however distant; there is a sympathy between the virtuous, however separated: there is

a heaven-born instinct by which the associates of the heart become at once acquainted, and kindred natures as it were by magic see in the face of a stranger, the features of a friend. Thus it is, that, though we never met, you hail in me the sweet association, and I feel myself amongst you even as if I were in the home of my nativity. But this my knowledge of you was not left to chance; nor was it left to the records of your charity, the memorials of your patriotism, your municipal magnificence, or your commercial splendour; it came to me hallowed by the accents of that tongue on which Ireland has so often hung with ecstacy, heightened by the eloquence and endeared by the sincerity of, I hope, our mutual friend. Let me congratulate him on having become in some degree naturalised in a province, where the spirit of the elder day seems to have lingered; and let me congratulate you on the acquisition of a man who is at once the zealous advocate of your cause, and a practical instance of the injustice of your oppressions. Surely, surely if merit had fair play, if splendid talents, if indefatigable industry, if great research, if unsullied principle, if a heart full of the finest affections, if a mind matured in every manly accomplishment, in short, if every noble, public quality, mellowed and reflected in the pure mirror of domestic virtue, could entitle a subject to distinction in a state, Mr. O'Connel should be distinguished; but, it is his crime to be a Catholic, and his curse to be an Irishman. Simpleton! he prefers his conscience to a place, and the love of

his country to a participation in her plunder! Indeed, he will never rise. If he joined the bigots of my sect, he might be a sergeant; if he joined the infidels of your sect, he might enjoy a pension, and there is no knowing whether some Orange-corporator, on an Orange-anniversary, might not modestly yield him the precedence of giving "the glorious and immortal memory." Oh, yes, he might be privileged to get drunk in gratitude to the man who colonised ignorance in his native land, and left to his creed the legacy of legalised persecution. Nor would he stand alone, no matter what might be the measure of his disgrace, or the degree of his dereliction. You well know there are many of your own community who would leave him at the distance-post. In contemplating their recreancy, I should be almost tempted to smile at the exhibition of their pretensions, if there was not a kind of moral melancholy intermingled, that changed satire into pity, and ridicule into contempt. For my part, I behold them in the apathy of their servitude, as I would some miserable maniac in the contentment of his captivity. Poor creature! when all that raised him from the brute is enthralled, and his glorious intellect is mouldering [illegible] may see him with his song of triumph, [illegible] of straw, a fancied freeman mid the [illegible] his chains, and an imaginary monarch [illegible] inflictions of his keeper! Merciful [illegible] almost an argument for the sceptic [illegible] believer, when we see the human shape [illegible] without an aspiration of the human soul,

separated by no boundary from the beasts that perish, beholding with indifference the captivity of their country, the persecution of their creed, and the helpless, hopeless destiny of their children? But they have nor creed, nor consciences, nor country; their god is gold, their gospel is a contract, their church a compting house, their characters a commodity; they never pray but for the opportunities of corruption, and hold their consciences, as they do their government-debentures, at a price proportioned to the misfortunes of their country. But let us turn from those mendicants of disgrace: though Ireland is doomed to the stain of their birth, her mind need not be sullied by their contemplation. I turn from them with pleasure to the contemplation of your cause, which, as far as argument can effect it, stands on a sublime and splendid elevation. Every obstacle has vanished into air; every favourable circumstance has hardened into adamant. The POPE, whom childhood was taught to lisp as the enemy of religion, and age shuddered at as a proscriptive calamity, has by his example put the princes of Christendom to shame. This day of miracles, in which the human heart has been strung to its extremest point of energy; this day, to which posterity will look for instances of every crime and every virtue, holds not in its page of wonders a more sublime phenomenon than that calumniated pontiff. Placed at the very pinnacle of human elevation, surrounded by the pomp of the Vatican and the splendour of the court, pouring the mandates of CHRIST from

the throne of the Cæsars, nations were his subjects, kings were his companions, religion was his handmaid; he went forth gorgeous with the accumulated dignity of ages, every knee bending, and every eye blessing the prince of one world and the prophet of another. Have we not seen him, in one moment, his crown crumbled, his sceptre a reed, his throne a shadow, his home a dungeon! But if we have, Catholics, it was only to show how inestimable is human virtue compared with human grandeur; it was only to show those whose faith was failing, and whose fears were strengthening, that the simplicity of the patriarchs, the piety of the saints, and the patience of the martyrs, had not wholly vanished. Perhaps it was also ordained to show the bigot at home, as well as the tyrant abroad, that though the person might be chained, and the motive calumniated, Religion was still strong enough to support her sons, and to confound, if she could not reclaim, her enemies. No threats could awe, no promises could tempt, no sufferings could appal him; mid the damps of his dungeon he dashed away the cup in which the pearl of his liberty was to be dissolved. Only reflect on the state of the world at that moment! All around him was convulsed, the very foundations of the earth seemed giving way, the comet was let loose that "from its fiery hair shook pestilence and death," the twilight was gathering, the tempest was roaring, the darkness was at hand; but he towered sublime, like the last mountain in the deluge—majestic, not less in his elevation than

in his solitude, immutable amid change, magnificent amid ruin, the last remnant of earth's beauty, the last resting-place of heaven's light! Thus have the terrors of the VATICAN retreated; thus has that cloud which hovered o'er your cause brightened at once into a sign of your faith and an assurance of your victory.—Another obstacle, the omnipotence of FRANCE; I know it was a pretence, but it was made an obstacle—What has become of it? The spell of her invincibility destroyed, the spirit of her armies broken, her immense boundary dismembered, and the lord of her empire become the exile of a rock. She allows fancy no fear, and bigotry no speciousness; and, as if in the very operation of the change to point the purpose of your redemption, the hand that replanted the rejected lily was that of an *Irish Catholic*. Perhaps it is not also unworthy of remark, that the last day of her triumph, and the first of her decline, was that on which her insatiable chieftain smote the holy head of your religion. You will hardly suspect I am imbued with the follies of superstition; but when the man now unborn shall trace the story of that eventful day, he will see the adopted child of fortune borne on the wings of victory from clime to clime, marking every movement with a triumph, and every pause with a crown, till time, space, seasons, nay, even nature herself, seeming to vanish from before him, in the blasphemy of his ambition he smote the apostle of his God, and dared to raise the everlasting Cross amid his perishable trophies! I am no fanatic, but

is it not remarkable? May it not be one of those signs which the Deity has sometimes given in compassion to our infirmity; signs, which in the punishment of one nation not unfrequently denote the warning to another;—

> "Signs sent by God to mark the will of Heaven,
> Signs, which bid nations weep and be forgiven."

The argument, however, is taken from the bigot; and those whose consciousness taught them to expect what your loyalty should have taught them to repel, can no longer oppose you from the terrors of invasion. Thus, then, the papal phantom and the French threat have vanished into nothing.—Another obstacle, the tenets of your creed. Has England still to learn them? I will tell her where. Let her ask Canada, the last plank of her American shipwreck. Let her ask Portugal, the first omen of her European splendour. Let her ask Spain, the most Catholic country in the universe, her Catholic friends, her Catholic allies, her rivals in the triumph, her reliance in the retreat, her last stay when the world had deserted her. They must have told her on the field of blood whether it was true that they "*kept no faith with heretics.*" Alas, alas! how miserable a thing is bigotry, when every friend puts it to the blush, and every triumph but rebukes its weakness. If England continued still to accredit this calumny, I would direct her for conviction to the hero for whose gift alone she owes us an eternity of gratitude, whom we have seen leading the van of

universal emancipation, decking his wreath with the flowers of every soil, and filling his army with the soldiers of every sect; before whose splendid dawn, every tear exhaling and every vapour vanishing, the colours of the European world have revived, and the spirit of European liberty (may no crime avert the omen!) seems to have arisen! Suppose he was a Catholic, could this have been? Suppose Catholics did not follow him, could this have been? Did the Catholic Cortes enquire his faith when they gave him the supreme command? Did the Regent of Portugal withhold from his creed the reward of his valour? Did the Catholic soldier pause at Salamanca to dispute upon polemics? Did the Catholic chieftain prove upon Barrossa that he kept no faith with heretics, or did the creed of Spain, the same with that of France, the opposite of that of England, prevent their association in the field of liberty? Oh, no, no, no! the citizen of every clime, the friend of every colour, and the child of every creed, liberty walks abroad in the ubiquity of her benevolence; alike to her the varieties of faith and the vicissitudes of country; she has no object but the happiness of man, no bounds but the extremities of creation. Yes, yes, it was reserved for Wellington to redeem his own country when he was regenerating every other. It was reserved for him to show how vile were the aspersions on your creed, how generous were the glowings of your gratitude. He was a Protestant, yet Catholics trusted him; he was a Protestant, yet

Catholics advanced him; he is a Protestant Knight in Catholic Portugal, he is a Protestant Duke in Catholic Spain, he is the Protestant commander of Catholic armies; he is more, he is the living proof of the Catholic's liberality, and the undeniable refutation of the Protestant's injustice. Gentlemen, as a Protestant, though I may blush for the bigotry of many of my creed who continue obstinate in the teeth of this conviction, still were I a Catholic I should feel little triumph in the victory. I should only hang my head at the distresses which this warfare occasioned to my country. I should only think how long she had writhed in the agony of her disunion; how long she had bent, fettered by slaves, cajoled by blockheads, and plundered by adventurers; the proverb of the fool, the prey of the politician, the dupe of the designing, the experiment of the desperate, struggling as it were between her own fanatical and infatuated parties, those hell-engendered serpents which enfold her, like the Trojan seer, even at the worship of her altars, and crush her to death in the very embraces of her children! It is time (is it not?) that she should be extricated. The act would be proud, the means would be Christian; mutual forbearance, mutual indulgence, mutual concession; I would say to the Protestant, Concede; I would say to the Catholic, Forgive; I would say to both, Though you bend not at the same shrine, you have a common God, and a common country; the one has commanded love, the other kneels to you for

peace. This hostility of her sects has been the disgrace, the peculiar disgrace, of Christianity. The Gentoo loves his cast, so does the Mahometan, so does the Hindoo, whom England out of the abundance of her charity is about to teach her creed; — I hope she may not teach her practice. But Christianity, Christianity alone exhibits her thousand sects, each denouncing his neighbour here, in the name of God, and damning hereafter out of pure devotion! "You're a heretic," says the Catholic: "You're a Papist," says the Protestant: "I appeal to Saint Peter," exclaims the Catholic: "I appeal to Saint Athanasius," cries the Protestant; "and if it goes to damning, he's as good at it as any saint in the calendar." "You'll all be damned eternally," moans out the Methodist; "I'm the elect!" Thus it is, you see, each has his anathema, his accusation, and his retort, and in the end Religion is the victim! The victory of each is the overthrow of all; and Infidelity, laughing at the contest, writes the refutation of their creed in the blood of the combatants! I wonder if this reflection has ever struck any of those reverend dignitaries who rear their mitres against Catholic emancipation. Has it ever glanced across their Christian zeal, if the story of [illegible] should have casually reached the val[illegible]dostan, with what an argument they are furnishing the heathen world against their sacred [illegible]? In what terms could the Christian [illegible] answer the Eastern Bramin, when he replied to his exhortations in language such as th[illegible]

we have heard your doctrine; it is splendid in theory, specious in promise, sublime in prospect; like the world to which it leads, it is rich in the miracles of light. But, Father, we have heard that there are times when its rays vanish and leave your sphere in darkness, or when your only lustre arises from meteors of fire, and moons of blood: we have heard of the verdant island which the Great Spirit has raised in the bosom of the waters with such a bloom of beauty, that the very wave she has usurped worships the loveliness of her intrusion. The sovereign of our forests is not more generous in his anger than her sons; the snow-flake, ere it falls on the mountain, is not purer than her daughters; little inland seas reflect the splendours of her landscape, and her valleys smile at the story of the serpent! Father, is it true that this isle of the sun, this people of the morning, find the fury of the ocean in your creed, and more than the venom of the viper in your policy? Is it true that for six hundred years, her peasant has not tasted peace, nor her piety rested from persecution? Oh! Brama, defend us from the God of the Christian! Father, father, return to your brethren, retrace the waters; we may live in ignorance, but we live in love, and we will not taste the tree that gives us evil when it gives us wisdom. The heart is our guide, nature is our gospel; in the imitation of our fathers we found our hope, and, if we err, on the virtue of our motives we rely for our redemption." How would the missionaries of the mitre answer him? How will they

answer that insulted Being of whose creed their conduct carries the refutation?—But to what end do I argue with the BIGOT?—a wretch, whom no philosophy can humanise, no charity soften, no religion reclaim, no miracle convert; a monster, who, red with the fires of hell, and bending under the crimes of earth, erects his murderous divinity upon a throne of skulls, and would gladly feed even with a brother's blood the cannibal appetite of his rejected altar! His very interest cannot soften him into humanity. Surely, if it could, no man would be found mad enough to advocate a system which cankers the very heart of society, and undermines the natural resources of government; which takes away the strongest excitement to industry, by closing up every avenue to laudable ambition; which administers to the vanity or the vice of a party, when it should only study the advantage of a people; and holds out the perquisites of state as an impious bounty on the persecution of religion.—I have already shown that the power of the Pope, that the power of France, and that the tenets of your creed, were but imaginary auxiliaries to this system. Another pretended obstacle has, however, been opposed to your emancipation. I allude to the danger arising from a foreign influence. What a triumphant answer can you give to that! Methinks, as lately, I see the assemblage of your hallowed hierarchy surrounded by the priesthood, and followed by the people, waving aloft the crucifix of Christ alike against the seductions of the court, and the commands

of the conclave! Was it not a delightful, an heart-cheering spectacle, to see that holy band of brothers preferring the chance of martyrdom to the certainty of promotion, and postponing all the gratifications of worldly pride, to the severe but heaven-gaining glories of their poverty? They acted honestly, and they acted wisely also; for I say here, before the largest assembly I ever saw in any country—and I believe you are almost all Catholics—I say here, that if the see of Rome presumed to impose any temporal mandate, directly or indirectly on the Irish people, the Irish bishops should at once abandon it, or their flocks, one and all, would abjure and banish both of them together. History affords us too fatal an example of the perfidious, arrogant, and venal interference of a papal usurper of former days in the temporal jurisdiction of this country; an interference assumed without right, exercised without principle, and followed by calamities apparently without end. Thus, then, has every obstacle vanished; but it has done more—every obstacle has, as it were by miracle, produced a powerful argument in your favour! How do I prove it? Follow me in my proofs, and you will see by what links the chain is united. The power of Napoleon was the grand and leading obstacle to your emancipation. That power led him to the menace of an Irish invasion. What did that prove? Only the sincerity of Irish allegiance. On the very threat, we poured forth our volunteers, our yeomen, and our militia; and the country became encircled with an armed and a loyal popu-

lation. Thus, then, the calumny of your disaffection vanished. That power next led him to the invasion of Portugal. What did it prove? Only the good faith of Catholic allegiance. Every field in the Peninsula saw the Catholic Portuguese hail the English Protestant as a brother and a friend joined in the same pride and the same peril. Thus, then, vanished the slander that you could not keep faith with heretics. That power next led him to the imprisonment of the Pontiff, so long suspected of being quite ready to sacrifice every thing to his interest and his dominion. What did that prove? The strength of his principles, the purity of his faith, the disinterestedness of his practice. It proved a life spent in the study of the saints, and ready to be closed by an imitation of the martyrs. Thus, also, was the head of your religion vindicated to Europe. There remained behind but one impediment—your liability to a foreign influence. Now mark! The Pontiff's captivity led to the transmission of Quarantotti's rescript; and, on its arrival, from the priest to the peasant, there was not a Catholic in the land, who did not spurn the document of Italian audacity! Thus, then, vanished also the phantom of a foreign influence! Is this conviction? Is not the hand of God in it? Oh yes! for observe what followed. The very moment that power, which was the first and last and leading argument against you, had, by its special operation, banished every obstacle; that power itself, as it were by enchantment, evaporated at once; and peace with Europe took

away the last pretence for your exclusion. Peace with Europe! alas, alas, there is no peace for Ireland: the universal pacification was but the signal for renewed hostility to us, and the mockery of its preliminaries were tolled through our provinces by the knell of the curfew. I ask, is it not time that this hostility should cease? If ever there was a day when it was necessary, that day undoubtedly exists no longer. The continent is triumphant, the Peninsula is free, France is our ally. The hapless house which gave birth to Jacobitism is extinct for ever. The Pope has been found not only not hostile, but complying. Indeed, if England would recollect the share you had in these sublime events, the very recollection should *subsidise* her into gratitude. But should she not — should she, with a baseness monstrous and unparalleled, forget our services, she has still to study a tremendous lesson. The ancient order of Europe, it is true, is restored, but what restored it? Coalition after coalition had crumbled away before the might of the conqueror; crowns were but ephemeral; monarchs only the tenants of an hour; the descendant of Frederick dwindled into a vassal; the heir of Peter shrunk into the recesses of his frozen desert; the successor of Charles roamed a vagabond, not only throneless but houseless; every evening sun set upon a change; every morning dawned upon some new convulsion: in short, the whole political globe quivered as with an earthquake, and who could tell what venerable monument was next to shiver beneath the splen-

did, frightful, and reposeless heavings of the French volcano! What gave Europe peace and England safety amid this palsy of her Princes? Was it not the Landwehr and the Landsturm and the Levy en Masse? Was it not the PEOPLE?— that first and last, and best and noblest, as well as safest security of a virtuous government. It is a glorious lesson; she ought to study it in this hour of safety; but should she not—

> "Oh woe be to the Prince who rules by fear,
> When danger comes upon him!"

She wil ladopt it. I hope it from her wisdom; I expect it from her policy; I claim it from her justice; I demand it from her gratitude. She must at length see that there is a gross mistake in the management of Ireland. No wise man ever yet imagined injustice to be his interest; and the minister who thinks he serves a state by upholding the most irritating and the most impious of all monopolies, will one day or other find himself miserably mistaken. This system of persecution is not the way to govern this country; at least to govern it with any happiness to itself, or advantage to its rulers. Centuries have proved its total inefficiency, and if it be continued for centuries, the proofs will be but multiplied. Why, however, should I blame the English people, when I see our own representatives so shamelessly negligent of our interests? The other day, for instance, when Mr. Peele introduced, aye and passed too, his three newly-invented penal bills, to the neces-

sity of which every assises in Ireland, and as honest a judge as ever dignified or redeemed the ermine, has given the refutation; why was it that no Irish member rose in his place to vindicate his country? Where were the nominal representatives of Ireland? Where were the renegade revilers of the demagogue? Where were the noisy proclaimers of the Board? What, was there not one voice to own the country? Was the patriot of 1782 an assenting auditor? Were our hundred *itinerants* mute and motionless — "quite chop-fallen?" or is it only when Ireland is slandered and her motives misrepresented, and her oppressions are basely and falsely denied, that their venal throats are ready to echo the chorus of ministerial calumny? Oh, I should not have to ask those questions, if, in the late contest for this city, you had prevailed, and sent HUTCHINSON into Parliament; he would have risen, though *alone*, as I have often seen him — richer not less in hereditary fame, than in personal accomplishments; the ornament of Ireland as she is, the solitary remnant of what she was. If slander dare asperse her, it would not have done so with impunity. He would have encouraged the timid; he would have shamed the recreant; and though he could not save us from chains, he would at least have shielded us from calumny. Let me hope that his absence shall be but of short duration, and that this city will earn an additional claim to the gratitude of the country, by electing him her representative. I scarcely know him but as a public

man, and considering the state to which we are reduced by the apostasy of some, and the ingratitude of others, and venality of more, — I say you should inscribe the conduct of such a man in the manuals of your devotion, and in the primers of your children, but above all, you should act on it yourselves. Let me entreat of you, above all things, to sacrifice any personal differences amongst yourselves, for the great cause in which you are embarked. Remember, the contest is for your children, your country, and your God; and remember also, that the day of Irish union will be the natal day of Irish liberty. When your own Parliament (which I trust in Heaven we may yet see again) voted you the right of franchise, and the right of purchase, it gave you, if you are not false to yourselves, a certainty of your emancipation. My friends, farewel! This has been a most unexpected meeting to me; it has been our first — it may be our last. I can never forget the enthusiasm of this reception. I am too much affected by it to make professions; but, believe me, no matter where I may be driven by the whim of my destiny, you shall find me one in whom change of place shall create no change of principle; one whose memory must perish ere he forgets his country; whose heart must be cold when it beats not for her happiness.

A

SPEECH

DELIVERED AT A DINNER GIVEN ON

DINAS ISLAND,

IN THE LAKE OF KILLARNEY,

ON

MR. PHILLIPS'S HEALTH BEING GIVEN, TOGETHER WITH THAT OF MR. PAYNE, A YOUNG AMERICAN.

IT is not with the vain hope of returning by words the kindnesses which have been literally showered on me during the short period of our acquaintance, that I now interrupt, for a moment, the flow of your festivity. Indeed, it is not necessary; an Irishman needs no requital for his hospitality; its generous impulse is the instinct of his nature, and the very consciousness of the act carries its recompense along with it. But, Sir, there are sensations excited by an allusion in your toast, under the influence of which silence would be impossible. To be associated with Mr. Payne must be, to any one who regards private virtues and personal accomplishments, a source of peculiar pride; and that feeling is not a little enhanced in me by a recollection of the country to which we

are indebted for his qualifications. Indeed, the mention of America has never failed to fill me with the most lively emotions. In my earliest infancy, that tender season when impressions, at once the most permanent and the most powerful, are likely to be excited, the story of her then recent struggle raised a throb in every heart that loved liberty, and wrung a reluctant tribute even from discomfited oppression. I saw her spurning alike the luxuries that would enervate, and the legions that would intimidate; dashing from her lips the poisoned cup of European servitude; and, through all the vicissitudes of her protracted conflict, displaying a magnanimity that defied misfortune, and a moderation that gave new grace to victory. It was the first vision of my childhood; it will descend with me to the grave. But if, as a man, I venerate the mention of America, what must be my feelings towards her as an Irishman. Never, oh never, while memory remains, can Ireland forget the home of her emigrant, and the asylum of her exile. No matter whether their sorrows sprung from the errors of enthusiasm, or the realities of suffering, from fancy or infliction; that must be reserved for the scrutiny of those whom the lapse of time shall acquit of partiality. It is for the men of other ages to investigate and record it; but surely it is for the men of every age to hail the hospitality that received the shelterless, and love the feeling that befriended the unfortunate. Search creation round, where can you find a country that presents so sublime a view, so interesting an anti-

cipation? What noble institutions! What a comprehensive policy! What a wise equalisation of every political advantage! The oppressed of all countries, the martyrs of every creed, the innocent victim of despotic arrogance or superstitious phrensy, may there find refuge; his industry encouraged, his piety respected, his ambition animated; with no restraint but those laws which are the same to all, and no distinction but that which his merit may originate. Who can deny that the existence of such a country presents a subject for human congratulation! Who can deny that its gigantic advancement offers a field for the most rational conjecture! At the end of the very next century, if she proceeds as she seems to promise, what a wondrous spectacle may she not exhibit! Who shall say for what purpose a mysterious Providence may not have designed her! Who shall say that when, in its follies or its crimes, the old world may have interred all the pride of its power, and all the pomp of its civilisation, human nature may not find its destined renovation in the new! For myself, I have no doubt of it. I have not the least doubt that when our temples and our trophies shall have mouldered into dust — when the glories of our name shall be but the legend of tradition, and the light of our achievements only live in song; philosophy will rise again in the sky of her Franklin, and glory rekindle at the urn of her Washington. Is this the vision of a romantic fancy? Is it even improbable? Is it half so improbable as the events which for the last

twenty years have rolled like successive tides over the surface of the European world, each erasing the impression that preceded it? Thousands upon thousands, Sir, I know there are, who will consider this supposition as wild and whimsical; but they have dwelt with little reflection upon the records of the past. They have but ill observed the never-ceasing progress of national rise and national ruin. They form their judgment on the deceitful stability of the present hour, never considering the innumerable monarchies and republics, in former days, apparently as permanent, their very existence become now the subjects of speculation, I had almost said of scepticism. I appeal to History! Tell me, thou reverend chronicler of the grave, can all the illusions of ambition realised, can all the wealth of an universal commerce, can all the achievements of successful heroism, or all the establishments of this world's wisdom, secure to empire the permanency of its possessions? Alas, Troy thought so once, yet the land of Priam lives only in song! Thebes thought so once, yet her hundred gates have crumbled, and her very tombs are but as the dust they were vainly intended to commemorate! So thought Palmyra — where is she? So thought Persepolis, and now —

> "Yon waste, where roaming lions howl,
> Yon aisle, where moans the gray-eyed owl,
> Shows the proud Persian's great abode,
> Where sceptred once, an earthly god,
> His power-clad arm controlled each happier clime,
> Where sports the warbling muse, and fancy soars sublime."

So thought the countries of Demosthenes and the Spartan, yet Leonidas is trampled by the timid slave, and Athens insulted by the servile, mindless, and enervate Ottoman! In his hurried march, Time has but looked at their imagined immortality, and all its vanities, from the palace to the tomb, have, with their ruins, erased the very impression of his footsteps! The days of their glory are as if they had never been; and the island that was then a speck, rude and neglected in the barren ocean, now rivals the ubiquity of their commerce, the glory of their arms, the fame of their philosophy, the eloquence of their senate, and the inspiration of their bards! Who shall say then, contemplating the past, that England, proud and potent as she appears, may not one day be what Athens is, and the young America yet soar to be what Athens was! Who shall say, when the European column shall have mouldered, and the night of barbarism obscured its very ruins, that that mighty continent may not emerge from the horizon, to rule for its time sovereign of the ascendant!

Such, Sir, is the natural progress of human operations, and such the unsubstantial mockery of human pride. But I should, perhaps, apologise for this digression. The tombs are at best a sad although an instructive subject. At all events, they are ill suited to such an hour as this. I shall endeavour to atone for it, by turning to a theme which tombs cannot inurn or revolutions alter. It is the custom of your board, and a noble one it is, to deck the cup of the gay with the garland of the

great; and surely, even in the eyes of its deity, his grape is not the less lovely when glowing beneath the foliage of the palm-tree and the myrtle. Allow me to add one flower to the chaplet, which, though it sprang in America, is no exotic. Virtue planted it, and it is naturalised every where. I see you anticipate me — I see you concur with me, that it matters very little what immediate spot may be the birth-place of such a man as WASHINGTON. No people can claim, no country can appropriate him; the boon of Providence to the human race, his fame is eternity, and his residence creation. Though it was the defeat of our arms, and the disgrace of our policy, I almost bless the convulsion in which he had his origin. If the heavens thundered and the earth rocked, yet, when the storm passed, how pure was the climate that it cleared; how bright in the brow of the firmament was the planet which it revealed to us! In the production of Washington, it does really appear as if nature was endeavouring to improve upon herself, and that all the virtues of the ancient world were but so many studies preparatory to the patriot of the new. Individual instances no doubt there were; splendid exemplifications of some single qualification: Cæsar was merciful, Scipio was continent, Hannibal was patient; but it was reserved for Washington to blend them all in one, and like the lovely *chef d'œuvre* of the Grecian artist, to exhibit in one glow of associated beauty, the pride of every model, and the perfection of every master. As a General, he marshalled the

peasant into a veteran, and supplied by discipline the absence of experience; as a statesman, he enlarged the policy of the cabinet into the most comprehensive system of general advantage; and such was the wisdom of his views, and the philosophy of his counsels, that to the soldier and the statesman he almost added the character of the sage! A conqueror, he was untainted with the crime of blood; a revolutionist, he was free from any stain of treason; for aggression commenced the contest, and his country called him to the command. Liberty unsheathed his sword, necessity stained, victory returned it. If he had paused here, history might have doubted what station to assign him, whether at the head of her citizens or her soldiers, her heroes or her patriots. But the last glorious act crowns his career, and banishes all hesitation. Who, like Washington, after having emancipated an hemisphere, resigned its crown, and preferred the retirement of domestic life to the adoration of a land he might be almost said to have created!

> "How shall we rank thee upon Glory's page,
> Thou more than soldier and just less than sage;
> All thou hast been reflects less fame on thee,
> Far less than all thou hast forborne to be!

Such, Sir, is the testimony of one not to be accused of partiality in his estimate of America. Happy, proud America! the lightnings of heaven yielded to your philosophy! The temptations of earth could not seduce your patriotism!

I have the honour, Sir, of proposing to you as a toast, The immortal memory of GEORGE WASHINGTON!

A

SPEECH

DELIVERED AT

AN AGGREGATE MEETING

OF

THE ROMAN CATHOLICS

OF THE COUNTY AND CITY OF

DUBLIN.

HAVING taken, in the discussions on your question, such humble share as was allotted to my station and capacity, I may be permitted to offer my ardent congratulations at the proud pinnacle on which it this day reposes. After having combated calumnies the most atrocious, sophistries the most plausible, and perils the most appalling, that slander could invent, or ingenuity devise, or power array against you, I at length behold the assembled rank and wealth and talent of the Catholic body offering to the Legislature that appeal which cannot be rejected, if there be a Power in heaven to redress injury, or a spirit on earth to administer justice. No matter what may be the depreciations of faction or of bigotry; this earth never presented a more ennobling spectacle than

that of a Christian country suffering for her religion with the patience of a martyr, and suing for her liberties with the expostulations of a philosopher; reclaiming the bad by her piety; refuting the bigotted by her practice; wielding the Apostle's weapons in the patriot's cause, and at length, laden with chains and with laurels, seeking from the country she had saved the Constitution she had shielded! Little did I imagine, that in such a state of your cause, we should be called together to counteract the impediments to its success, created not by its enemies, but by those supposed to be its friends. It is a melancholy occasion; but melancholy as it is, it must be met, and met with the fortitude of men struggling in the sacred cause of liberty. I do not allude to the proclamation of your Board; of that Board I never was a member, so I can speak impartially. It contained much talent, some learning, many virtues. It was valuable on that account; but it was doubly valuable as being a vehicle for the individual sentiments of any Catholic, and for the aggregate sentiments of every Catholic. Those who seceded from it, do not remember that, individually, they are nothing; that as a body, they are every thing. It is not this wealthy slave, or that titled sycophant, whom the bigots dread, or the parliament respects! No, it is the body, the numbers, the rank, the property, the genius, the perseverance, the education, but above all, the *Union* of the Catholics. I am far from defending every measure of the Board—perhaps I condemn some of its measures even

more than those who have seceded from it; but is it a reason, if a general makes one mistake, that his followers are to desert him, especially when the contest is for all that is dear or valuable? No doubt the Board had its errors. Show me the human institution which has not. Let the man, then, who denounces it, prove himself superior to humanity, before he triumphs in his accusation. I am sorry for its suppression. When I consider the animals who are in office around us, the act does not surprise me; but I confess, even from them, the manner did, and the time chosen did, most sensibly. I did not expect it on the very hour when the news of universal peace was first promulgated, and on the anniversary of the only British monarch's birth, who ever gave a boon to this distracted country.

You will excuse this digression, rendered indeed in some degree necessary. I shall now confine myself exclusively to your resolution, which determines on the immediate presentation of your petition, and censures the neglect of any discussion on it by your advocates during the last session of Parliament. You have a right to demand most fully the reasons of any man who dissents from Mr. Grattan. I will give you mine explicitly. But I shall first state the reasons which he has given for the postponement of your question. I shall do so out of injury, or him, if indeed it can be called respect, No: to those sentiments, which on their very mention must excite your ridicule. Mr. Grattan presented your petition, and, on mov-

ing that it should lie where so many preceding ones have lain, namely, *on the table*, he declared it to be his intention to move for no discussion. Here, in the first place, I think Mr. Grattan wrong; he got that petition, if not on the express, at least on the implied condition of having it immediately discussed. There was not a man at the aggregate meeting at which it was adopted, who did not expect a discussion on the very first opportunity. Mr, Grattan, however, was angry at "suggestions." I do not think Mr. Grattan, of all men, had any right to be so angry at receiving that which every English member was willing to receive, and was actually receiving from any English corn-factor. Mr. Grattan was also angry at our "violence." Neither do I think *he* had any occasion to be so squeamish at what he calls our *violence*. There was a day, when Mr. Grattan would not have spurned our suggestions, and there was also a day when he was fifty-fold more intemperate than any of his oppressed countrymen, whom he now holds up to the English people as so unconstitutionally violent. A pretty way, forsooth, for your advocate to commence conciliating a foreign auditory in favour of your petition. Mr. Grattan, however, has fulfilled his own prophecy, that "an oak of the forest is too old to be transplanted at fifty," and our fears that an Irish sentative would soon lose its raciness in an English perseversphere. "It is not my intention," says he, of those for a discussion at present." Why? "Great obstacles have been removed." That's his first reason. "I am how-

ever," says he, "still ardent." Ardent! Why it strikes me to be a very novel kind of ardour, which toils till it has removed every impediment, and then pauses at the prospect of its victory! "And I am of opinion," he continues, "that any immediate discussion would be the height of precipitation:" that is, after having removed the impediments, he pauses in his path, declaring he is "*ardent:*" and after centuries of suffering, when you press for a discussion, he protests that he considers you monstrously precipitate! Now is not that a fair translation? Why really if we did not know Mr. Grattan, we should be almost tempted to think that he was quoting from the ministry. With the exception of one or two plain, downright, sturdy, unblushing bigots, who opposed you because you were Christians, and declared they did so, this was the cant of every man who affected liberality. "Oh, I declare," say they, "they may not be cannibals, though they are Catholics, and I would be very glad to vote for them, but this is no *time*." "Oh no," says Bragge Bathurst, "it's no *time*. What! in time of war! Why it looks like bullying us!" Very well: next comes the peace, and what say our *friends* the Opposition? "Oh! I declare peace is no *time*, it looks so like persuading us." For my part, serious as the subject is, it affects me with the very same [illegible] with which I see I have so unconsciously [illegible] you. I will tell you a story of which it reminds me. It is told of the celebrated Charles [illegible]. Far be it from me, however, to mention *that* name with levity. As he

was a great man, I revere him; as he was a good man, I love him. He had as wise a head as ever paused to deliberate; he had as sweet a tongue as ever gave the words of wisdom utterance; and he had an heart so stamped with the immediate impress of the Divinity, that its very errors might be traced to the excess of its benevolence. I had almost forgot the story. Fox was a man of genius —of course he was poor. Poverty is a reproach to no man; to such a man as Fox, I think it was a pride; for if *he* chose to traffic with his principles; if *he* chose to gamble with his conscience, how easily might he have been rich? I guessed your answer. It would be hard indeed if you did not believe that in England talents might find a purchaser, who have seen in Ireland how easily a blockhead may swindle himself into preferment. Juvenal says that the greatest misfortune attendant upon poverty is ridicule. Fox found out a greater —*debt*. The Jews called on him for payment. "Ah, my dear friends," says Fox, "I admit the principle; I owe you money, but what time is this, when I am going upon *business*." Just so our friends admit the principle; they owe you emancipation, but war's no *time*. Well, the Jews departed just as you did. They returned to the charge. "What! cries Fox, is this a *time*, when I am engaged on an appointment?" What! say our friends, is this a *time* when all the world's at peace. The Jews quarrelled, but the end of it was, Fox, with his secretary Mr. Hare, who was as much in debt as he was, shut themselves up in garrison. The Jews used to surround his habit-

ation at day-light, and poor Fox regularly put his head out of the window, with this question, "Gentlemen, are you *Fox*-hunting or *Hare*-hunting this morning?" His pleasantry mitigated the very Jews. "Well, well, Fox, now you have always admitted the principle, but protested against the *time* —we will give you your own *time*, only just fix some final day for our repayment."—"Ah, my dear Moses," replies Fox, "now this is friendly. I will take you at your word; I will fix a day, and as its to be a *final* day, what would you think of the day of *judgment?*"—"That will be too busy a day with us."—"Well, well, in order to accommodate all parties, let us settle it *the day after.*" Thus it is, between the war inexpediency of Bragge Bathurst, and the peace inexpediency of Mr. Grattan, you may expect your emancipation bill pretty much about the time that Fox settled for the payment of his creditors. Mr. Grattan, however, though he scorned to take *your* suggestions, took the suggestions of your *friends.* "I have consulted," says he, "my right honourable friends!" Oh, all *friends*, *all right honourable!* Now this it is to trust the interests of a people into the hands of a *party.* You must know, in parliamentary parlance, these right honourable friends mean a party. There are few men so contemptible, as not to have a party. The minister has his party. The opposition have their party. The *Saints*, for there are saints in the House of Commons, *lucus à non lucendo*, —the saints have their party. Every one has his party. I had forgotten—

Ireland has no party. Such are the reasons, if reasons they can be called, which Mr. Grattan has given for the postponement of your question; and I sincerely say, if they had come from any other man, I would not have condescended to have given them an answer. He is indeed reported to have said that he had others in reserve, which he did not think it necessary to detail. If those which he reserved were like those which he delivered, I do not dispute the prudence of his keeping them to himself; but as we have not the gift of prophecy, it is not easy for us to answer them, until he shall deign to give them to his constituents.

Having dealt thus freely with the alleged reasons for the postponement, it is quite natural that you should require what my reasons are for urging the discussion. I shall give them candidly. They are at once so simple and explicit, it is quite impossible that the meanest capacity amongst you should not comprehend them. I would urge the instant discussion, because discussion has always been of use to you; because, upon every discussion you have gained converts out of doors; and because, upon every discussion within the doors of Parliament, your enemies have diminished, and your friends have increased. Now, is not that a strong reason for continuing your discussions? This may be assertion, Sir, but I will prove it. In order to convince [illegible] of the argument as referring to the country, I need but point to the state of the public mind now upon the subject, and that which existed in the [illegible] of the youngest. I myself remember the [illegible] and

the basest universal denunciations against your creed, and the vilest anathemas against any man who would grant you an iota. *Now*, every man affects to be liberal, and the only question with some is the *time* of the concessions; with others, the extent of the concessions; with many, the nature of the securities you should afford; whilst a great multitude, in which I am proud to class myself, think that your emancipation should be immediate, universal, and unrestricted. Such has been the progress of the human mind *out of doors*, in consequence of the powerful eloquence, argument, and policy elicited by those discussions which your friends now have, for the first time, found out to be precipitate. Now let us see what has been the effect produced *within the doors* of Parliament. For twenty years you were silent, and of course you were neglected. The consequence was most natural. Why should Parliament grant privileges to men who did not think those privileges worth the solicitation? Then rose your *agitators*, as they are called by those bigots who are trembling at the effect of their arguments on the community, and who, as a matter of course, take every opportunity of calumniating them. Ever since that period your cause has been advancing. Take the numerical proportions in the House of Commons on each subsequent discussion. In 1805, the first time it was brought forward in the Imperial legislature, but it was then aided by the powerful eloquence of Fox, there was a majority against even taking your claims into consideration, of no less a number than 212. It was an appalling

omen. In 1808, however, on the next discussion, that majority was diminished to 163. In 1810 it decreased to 104. In 1811 it dwindled to 64, and at length in 1812, on the motion of Mr. Canning, and it is not a little remarkable that the first successful exertion in your favour was made by an English member, your enemies fled the field, and you had the triumphant majority to support you of 129! Now, is not this demonstration? What becomes now of those who say discussion has not been of use to you? But I need not have resorted to arithmetical calculation. Men become ashamed of combating with axioms. Truth is omnipotent, and must prevail; it forces its way with the fire and the precision of the morning sun-beam. Vapours may impede the infancy of its progress; but the very resistance that would check only condenses and concentrates it, until at length it goes forth in the fulness of its meridian, all life and light and lustre—the minutest objects visible in its refulgence. You lived for centuries on the vegetable diet and eloquent silence of this Pythagorean policy; and the consequence was, when you thought yourselves mightily dignified, and mightily interesting, the whole world was laughing at your philosophy, and sending its aliens to take possession of your birth-right. I have given you a good reason for urging your discussion, by having shown you that discussion has always gained you proselytes. But is it the *time*? says Mr. Grattan. Yes, Sir, it *is* the *time*, peculiarly the time, unless indeed the great question of Irish liberty is to be reserved as a weapon in the hands of a party to wield

against the weakness of the British minister. But why should I delude you by talking about time? Oh! there will never be a time with Britannia! She has no head, and cannot think; she has no heart, and cannot feel; when she moves, it is in wrath; when she pauses, it is amid ruin; her prayers are curses, her communion is death, her vengeance is eternity, her decalogue is written in the blood of her victims; and if she stoops for a moment from her infernal flight, it is upon some kindred rock to whet her vulture fang for keener rapine, and replume her wing for a more sanguinary desolation! I appeal from this infernal, grave-stalled fury, I appeal to the good sense, to the policy, to the gratitude of England; and I make my appeal peculiarly at this moment, when all the illustrious potentates of Europe are assembled together in the British capital, to hold the great festival of universal peace and universal emancipation. Perhaps when France, flushed with success, fired by ambition, and infuriated by enmity; her avowed aim an universal conquest, her means the confederated resources of the Continent, her guide the greatest military genius a nation fertile in prodigies has produced—a man who seemed born to invest what had been regular, to defile what had been venerable, to crush what had been established, and to create, as if by a magic impulse, a fairy world, peopled by the paupers he had commanded into kings, and based by the thrones he had crumbled in his caprices;—perhaps when such a power, so led, so organised,

and so incited, was in its noon of triumph, the timid might tremble even at the change that would save, or the concession that would strengthen. But now, — her allies faithless, her conquests despoiled, her territory dismembered, her legions defeated, her leader dethroned, and her reigning prince our ally by treaty, our debtor by gratitude, and our inalienable friend by every solemn obligation of civilised society, — the objection is our strength, and the obstacle our battlement. Perhaps when the Pope was in the power of our enemy, however slender the pretext, bigotry might have rested on it. The inference was false as to Ireland, and it was ungenerous as to Rome. The Irish Catholic, firm in his faith, bows to the pontiff's spiritual supremacy, but he would spurn the pontiff's temporal interference. If, with the spirit of an earthly domination, he were to issue to-morrow his despotic mandate, Catholic Ireland with one voice would answer him: "Sire, we bow with reverence to your spiritual mission: the descendant of Saint Peter, we freely acknowledge you the head of our church, and the organ of our creed: but, Sire, if we have a church, we cannot forget that we also have a country; and when you attempt to convert your mitre into a crown, and your crozier into a sceptre, you degrade the majesty of your high delegation, and grossly miscalculate upon our acquiescence. No foreign power shall regulate the allegiance which we owe to our sovereign; it was the fault of our fathers that one Pope forged our fetters; it will be our

own, if we allow them to be rivetted by another." Such would be the answer of universal Ireland; such was her answer to the audacious menial, who dared to dictate her unconditional submission to an act of Parliament which emancipated by penalties, and redressed by insult. But, Sir, it never would have entered into the contemplation of the Pope to have assumed such an authority. His character was a sufficient shield against the imputation, and his policy must have taught him, that, in grasping at the shadow of a temporal power, he should but risk the reality of his ecclesiastical supremacy. Thus was Parliament doubly guarded against a foreign usurpation. The people upon whom it was to act deprecate its authority, and the power to which it was imputed abhors its ambition; the Pope would not exert it if he could, and the people would not obey it if he did. Just precisely upon the same foundation rested the aspersions which were cast upon your creed. How did experience justify them? Did Lord Wellington find that religious faith made any difference amid the thunder of the battle? Did the Spanish soldier desert his colours because his General believed not in the *real presence?* Did the brave Portuguese neglect his orders to negotiate about mysteries? Or what comparison did the hero draw between the policy of England and the piety of Spain, when at one moment he led the heterodox legions to victory, and the very next was obliged to fly from his own native flag, waving defiance on the walls of Burgos, where the Irish

exile planted and sustained it? What must he have felt when in a foreign land he was obliged to command brother against brother, to raise the sword of blood, and drown the cries of nature with the artillery of death? What were the sensations of our hapless exiles, when they recognised the features of their long-lost country? when they heard the accents of the tongue they loved, or caught the cadence of the simple melody which once lulled them to sleep within a mother's arms, and cheered the darling circle they must behold no more? Alas, how the poor banished heart delights in the memory that song associates! He heard it in happier days, when the parents he adored, the maid he loved, the friends of his soul, and the green fields of his infancy were round him; when his labours were illumined with the sun-shine of the heart, and his humble hut was a palace — for it was HOME. His soul is full, his eye suffused, he bends from the battlements to catch the cadence, when his death-shot, sped by a brother's hand, lays him in his grave — the victim of a code calling itself Christian! Who shall say, heart-rending as it is, this picture is from fancy? Has it not occurred in Spain? May it not, at this instant, be acting in America? Is there any country in the universe, in which these brave exiles of a barbarous bigotry are not to be found refuting the calumnies that banished and rewarding the hospitality that received them? Yet England, enlightened England, who sees them in every field of the old world and the new, defending the various

flags of every faith, supports the injustice of her exclusive constitution, by branding upon them the ungenerous accusation of an exclusive creed! England, the ally of Catholic Portugal, the ally of Catholic Spain, the ally of Catholic France, the friend of the Pope! England, who seated a Catholic bigot in Madrid! who convoyed a Catholic Braganza to the Brazils! who enthroned a Catholic Bourbon in Paris! who guaranteed a Catholic establishment in Canada! who gave a constitution to Catholic Hanover! England, who searches the globe for Catholic grievances to redress, and Catholic Princes to restore, will not trust the Catholic at home, who spends his blood and treasure in her service!! Is this generous? Is this consistent? Is it just? Is it even politic? Is it the act of a wise country to fetter the energies of an entire population? Is it the act of a Christian country to do it in the name of God? Is it politic in a government to degrade part of the body by which it is supported, or pious to make PROVIDENCE a party to their degradation? There are societies in England for discountenancing vice; there are Christian associations for distributing the Bible; there are volunteer missions for converting the heathen: but Ireland, the seat of their government, the stay of their empire, their associate by all the ties of nature and of interest; how has she benefited by the Gospel of which they boast? Has the sweet spirit of Christianity appeared on our plains in the character of her precepts, breathing the air and robed

in the beauties of the world to which she would lead us; with no argument but love, no look but peace, no wealth but piety; her creed comprehensive as the arch of heaven, and her charities bounded but by the circle of creation? Or, has she been let loose amongst us, in form a fury, and in fact a dæmon, her heart festered with the fires of hell, her hands clotted with the gore of earth, withering alike in her repose and in her progress, her path apparent by the print of blood, and her pause denoted by the expanse of desolation? Gospel of Heaven! is this thy herald? God of the universe! is this thy hand-maid? Christian of the ascendancy! how would you answer the disbelieving infidel, if he asked you, should he estimate the Christian doctrine by the Christian practice; if he dwelt upon those periods when the human victim writhed upon the altar of the peaceful Jesus, and the cross, crimsoned with his blood, became little better than a stake for the sacrifice of his votaries; if he pointed to Ireland, where the word of peace was the war-whoop of destruction; where the son was bribed against the father, and the plunder of the parent's property was made a bounty on the recantation of the parent's creed; where the march of the human mind was stayed in his name who had inspired it with reason, and any effort to liberate a fellow-creature from his intellectual bondage was sure to be recompensed by the dungeon or the scaffold; where ignorance was so long a legislative command, and piety a legislative crime; where religion was placed as a

barrier between the sexes, and the intercourse of nature was pronounced felony by law; where God's worship was an act of stealth, and his ministers sought amongst the savages of the wood that sanctuary which a nominal civilisation had denied them; where at this instant conscience is made to blast every hope of genius, and every energy of ambition, and the Catholic who would rise to any station of trust must, in the face of his country, deny the faith of his fathers; where the preferments of earth are only to be obtained by the forfeiture of Heaven?

" Unprized are her sons till they learn to betray,
Undistinguish'd they live if they shame not their sires;
And the torch that would light them to dignity's way,
Must be caught from the pile where their country expires!"

How, let me ask, how would the Christian zealot droop beneath this catalogue of Christian qualifications? But, thus it is, when sectarians differ on account of mysteries; in the heat and acrimony of the causeless contest, religion, the glory of one world, and the guide of another, drifts from the splendid circle in which she shone, into the cabinet-maze of uncertainty and error. The code, against which you petition, is a vile compound of impiety and impolicy: impiety, because it debases in the name of God; impolicy, because it disqualifies under pretence of government. If we are to argue from the services of Protestant Ireland, to the losses sustained by the bondage of Catholic Ireland, and I do not see why we should not, the tate which continues such a system is guilty of

little less than a political suicide. It matters little where the Protestant Irishman has been employed; whether with Burke wielding the senate with his eloquence, with Castlereagh guiding the cabinet by his counsels, with Barry enriching the arts by his pencil, with Swift adorning literature by his genius, with Goldsmith or with Moore softening the heart by their melody, or with Wellington chaining victory at his car, he may boldly challenge the competition of the world. Oppressed and impoverished as our country is, every muse has cheered, and every art adorned, and every conquest crowned her. Plundered, she was not poor, for her character enriched; attainted, she was not titleless, for her services ennobled; literally outlawed into eminence and fettered into fame, the fields of her exile were immortalised by her deeds, and the links of her chain became decorated by her laurels. Is this fancy, or is it fact? Is there a department in the state in which Irish genius does not possess a predominance? Is there a conquest which it does not achieve, or a dignity which it does not adorn? At this instant, is there a country in the world to which England has not deputed an Irishman as her representative? She has sent Lord Moira to India, Sir Gore Ouseley to Ispahan, Lord Stuart to Vienna, Lord Castlereagh to Congress, Sir Henry Wellesley to Madrid, Mr. Canning to Lisbon, Lord Strangford to the Brazils, Lord Clancarty to Holland, Lord Wellington to Paris—all Irishmen! Whether it results from accident or from merit, can there be a more

cutting sarcasm on the policy of England! Is it not directly saying to her, "Here is a country from one-fifth of whose people you depute the agents of your most august delegation, the remaining four-fifths of which, by your odious bigotry, you incapacitate from any station of office or of trust!" It is adding all that is weak in impolicy to all that is wicked in ingratitude. What is her apology? Will she pretend that the Deity imitates her injustice, and incapacitates the intellect as she has done the creed? After making Providence a pretence for her code, will she also make it a party to her crime, and arraign the universal spirit of partiality in his dispensations? Is she not content with Him as a Protestant God, unless He also consents to become a Catholic dæmon? But, if the charge were true, if the Irish Catholic were imbruted and debased, Ireland's conviction would be England's crime, and your answer to the bigot's charge should be the bigot's conduct. What, then! is this the result of six centuries of your government? Is this the connection which you called a benefit to Ireland? Have your protecting laws so debased them, that the very privilege of reason is worthless in their possession? Shame! oh, shame! to the government where the people are barbarous! The day is not distant when they made the education of a Catholic a crime, and yet they arraign the Catholic for ignorance! The day is not distant when they proclaimed the celebration of the Catholic worship a felony, and yet they complain that the

Catholic is not moral! What folly! Is it to be expected that the people are to emerge in a moment from the stupor of a protracted degradation? There is not, perhaps, to be traced upon the map of national misfortune a spot so truly and so fearfully deplorable as Ireland. Other lands, no doubt, have had their calamities. To the horrors of revolution, the miseries of despotism, the scourges of anarchy, they have in their turns been subject. But it has been only in their turns; the visitations of woe, though severe, have not been eternal; the hour of probation, or of punishment, has passed away; and the tempest, after having emptied the vial of its wrath, has given place to the serenity of the calm and of the sunshine. Has this been the case with respect to our miserable country? Is there, save in the visionary world of tradition—is there in the progress, either of record or recollection, one verdant spot in the desert of our annals where patriotism can find repose or philanthropy refreshment? Oh, indeed, posterity will pause with wonder on the melancholy page which shall pourtray the story of a people, amongst whom the policy of man has waged an eternal warfare with the providence of God, blighting into deformity all that was beauteous, and into famine all that was abundant. I repeat, however, the charge to be false. The Catholic mind in Ireland has made advances scarcely to be hoped in the short interval of its partial emancipation. But what encouragement has the Catholic parent to educate his offspring?

Suppose he sends his son, the hope of his pride, and the wealth of his heart, into the army; the child justifies his parental anticipation; he is moral in his habits, he is strict in his discipline, he is daring in the field, and temperate at the board, and patient in the camp; the first in the charge, the last in the retreat; with an hand to achieve, and an head to guide, and a temper to conciliate; he combines the skill of Wellington with the clemency of Cæsar and the courage of Turenne—yet he can never rise—he is *a Catholic!*—Take another instance. Suppose him at the bar. He has spent his nights at the lamp, and his days in the forum; the rose has withered from his cheek mid the drudgery of form; the spirit has fainted in his heart mid the analysis of crime; he has foregone the pleasures of his youth, and the associates of his heart, and all the fairy enchantments in which fancy may have wrapped him. Alas! for what? Though genius flashed from his eye, and eloquence rolled from his lips; though he spoke with the tongue of Tully, and argued with the learning of Coke, and thought with the purity of Fletcher, he can never rise—he is *a Catholic!* Merciful God! what a state of society is this in which thy worship is interposed as a disqualification upon thy Providence! Behold, in a word, the effects of the code against which you petition; it disheartens exertion, it disqualifies merit, it debilitates the state, it degrades the Godhead, it disobeys Christianity, it makes religion an article of traffic, and its founder a monopoly; and for

ages it has reduced a country, blessed with every beauty of nature and every bounty of Providence, to a state unparalleled under any constitution professing to be free, or any government pretending to be civilised. To justify this enormity, there is now no argument. Now is the time to concede with dignity that which was never denied without injustice. Who can tell how soon we may require all the zeal of our united population to secure our very existence? Who can argue upon the continuance of this calm? Have we not seen the labour of ages overthrown, and the whim of a day erected on its ruins; establishments the most solid withering at a word, and visions the most whimsical realised at a wish; crowns crumbled, discords confederated, kings become vagabonds, and vagabonds made kings at the capricious phrenzy of a village adventurer? Have we not seen the whole political and moral world shaking as with an earthquake, and shapes the most fantastic and formidable and frightful heaved into life by the quiverings of the convulsion? The storm has passed over us; England has survived it; if she is wise, her present prosperity will be but the handmaid to her justice; if she is pious, the peril she has escaped will be but the herald of her expiation. Thus much have I said in the way of argument to the enemies of your question. Let me offer an humble opinion to its friends. The first and almost the sole request which an advocate would make to you is, to remain united; rely

on it, a divided assault can never overcome a consolidated resistance. I allow that an educated aristocracy are as an head to the people, without which they cannot think; but then the people are as hands to the aristocracy, without which it cannot act. Concede, then, a little to even each other's prejudices; recollect that individual sacrifice is universal strength; and can there be a nobler altar than the altar of your country? This same spirit of conciliation should be extended even to your enemies. If England will not consider that a brow of suspicion is but a bad accompaniment to an act of grace; if she will not allow that kindness may make those friends whom even oppression could not make foes; if she will not confess that the best security she can have from Ireland is by giving Ireland an interest in her constitution; still, since her power is the shield of her prejudices, you should concede where you cannot conquer; it is wisdom to yield when it has become hopeless to combat.

There is but one concession which I would never advise, and which, were I a Catholic, I would never make. You will perceive that I allude to any interference with your clergy. That was the crime of Mr. Grattan's security bill. It made the patronage of your religion the ransom for your liberties, and bought the favour of the crown by the surrender of the church. It is a vicious principle, it is the cause of all your sorrows. If there had not been a state-establishment

there would not have been a Catholic bondage. By that incestuous conspiracy between the altar and the throne infidelity has achieved a more extended dominion than by all the sophisms of her philosophy, or all the terrors of her persecution. It makes God's apostle a court-appendage, and God himself a court-purveyor; it carves the cross into a chair of state, where, with grace on his brow and gold in his hand, the little perishable puppet of this world's vanity makes Omnipotence a menial to its power, and Eternity a pander to its profits. Be not a party to it. As you have spurned the temporal interference of the Pope, resist the spiritual jurisdiction of the crown. As I do not think that you, on the one hand, could surrender the patronage of your religion to the King, without the most unconscientious compromise, so, on the other hand, I do not think the King ever could conscientiously receive it. Suppose he receives it; if he exercises it for the advantage of your church, he directly violates the coronation-oath which binds him to the exclusive interests of the Church of England; and if he does not intend to exercise it for your advantage, to what purpose does he require from you its surrender? But what pretence has England for this interference with your religion? It was the religion of her most glorious æra, it was the religion of her most ennobled patriots, it was the religion of the wisdom that framed her constitution, it was the religion of the valour that achieved

it, it would have been to this day the religion of her empire had it not been for the lawless lust of a murderous adulterer. What right has she to suspect your church? When her thousand sects were brandishing the fragments of their faith against each other, and Christ saw his garment, without a seam, a piece of patchwork for every mountebank who figured in the pantomime; when her Babel temple rocked at every breath of her Priestleys and her Paynes, Ireland, proof against the menace of her power, was proof also against the perilous impiety of her example. But if as Catholics you should guard it, the palladium of your creed, not less as Irishmen should you prize it, the relick of your country. Deluge after deluge has desolated her provinces. The monuments of art which escaped the barbarism of one invader fell beneath the still more savage civilisation of another. Alone, amid the solitude, your temple stood like some majestic monument amid the desert of antiquity, just in its proportions, sublime in its associations, rich in the virtue of its saints, cemented by the blood of its martyrs, pouring forth for ages the unbroken series of its venerable hierarchy, and only the more magnificent from the ruins by which it was surrounded. Oh! do not for any temporal boon betray the great principles which are to purchase you an eternity! Here, from your very sanctuary,—here, with my hand on the endangered altars of your faith, in the name of that God, for the freedom of whose wor-

ship we are so nobly struggling,—I conjure you, let no unholy hand profane the sacred ark of your religion; preserve it inviolate; its light is "light from heaven;" follow it through all the perils of your journey; and, like the fiery pillar of the captive Israel, it will cheer the desert of your bondage, and guide to the land of your liberation!

PETITION

REFERRED TO IN THE PRECEDING SPEECH,

DRAWN BY

MR. PHILLIPS

AT THE REQUEST OF

THE ROMAN CATHOLICS

OF

IRELAND.

To the Honourable the COMMONS *of the United Kingdom of Great Britain and Ireland, in Parliament assembled:*

The humble Petition of the Roman Catholics of Ireland, whose Names are undersigned on behalf of themselves, and others, professing the Roman Catholic Religion,

SHEWETH,

THAT we, the Roman Catholic people of Ireland, again approach the legislature with a statement of the grievances under which we labour, and of which we most respectfully, but at

the same time most firmly, solicit the effectual redress. Our wrongs are so notorious, and so numerous, that their minute detail is quite unnecessary, and would indeed be impossible, were it deemed expedient. Ages of persecution on the one hand, and of patience on the other, sufficiently attest our sufferings and our submission. Privations have been answered only by petition, indignities by remonstrance, injuries by forgiveness. It has been a misfortune to have suffered for the sake of our religion; but it has also been a pride to have borne the best testimony to the purity of our doctrine, by the meekness of our endurance.

We have sustained the power which spurned us; we have nerved the arm which smote us; we have lavished our strength, our talent, and our treasures, and buoyed up, on the prodigal effusion of our young blood, the triumphant ARK OF BRITISH LIBERTY.

We approach, then, with confidence, an enlightened legislature; in the name of Nature, we ask our rights as men; in the name of the Constitution, we ask our privileges as subjects; in the name of GOD, we ask the sacred protection of unpersecuted piety as Christians.

Are securities required of us? We offer them—the best securities a throne can have—the affections of a people. We offer faith that was never violated, hearts that were never corrupted, valour that never crouched. Every hour of peril has proved our allegiance, and every field of Europe exhibits its example.

We abjure all temporal authority, except that of our Sovereign; we acknowledge no civil pre-eminence, save that of our constitution; and, for our lavish and voluntary expenditure, we only ask a reciprocity of benefits.

Separating, as we do, our civil rights from our spiritual duties, we humbly desire that they may not be confounded. We "render unto Cæsar the things that are Cæsar's," but we must also "render unto God the things that are God's." Our church could not descend to claim a state-authority, nor do we ask for it a state-aggrandisement:—its hopes, its powers, and its pretensions, are of another world; and, when we raise our hands most humbly to the State, our prayer is not, that the fetters may be transferred to the hands which are raised for us to Heaven. We would not erect a splendid shrine even to Liberty on the ruins of the Temple.

In behalf, then, of five millions of a brave and loyal people, we call upon the legislature to annihilate the odious bondage which bows down the mental, physical, and moral energies of Ireland; and, in the name of that Gospel which breathes charity towards all, we seek freedom of conscience for all the inhabitants of the British empire.

May it therefore please this honourable House to abolish all penal and disabling laws, which in any manner infringe religious liberty, or restrict the free enjoyment of the sacred rights of conscience, within these realms.

And your petitioners will ever pray.

THE

ADDRESS

TO

H. R. H. THE PRINÇESS OF WALES:

DRAWN BY

MR. PHILIPS

AT THE REQUEST OF

THE ROMAN CATHOLICS

OF

IRELAND.

May it please Your Royal Highness,

WE, the Roman Catholic people of Ireland, beg leave to offer our unfeigned congratulations on your providential escape from the conspiracy which so lately endangered both your life and honour — a conspiracy, unmanly in its motives, unnatural in its object, and unworthy in its means — a conspiracy, combining so monstrous an union of turpitude and treason, that it is difficult to say, whether royalty would have suffered more from its success, than human nature has from its conception. Our allegiance is not less shocked at the infernal spirit, which would sully the diadem,

by breathing on its most precious ornament, the virtue of its wearer, than our best feelings are at the inhospitable baseness, which would betray the innocence of a female in a land of strangers!!

Deem it not disrespectful, illustrious Lady, that, from a people proverbially ardent in the cause of the defenceless, the shout of virtuous congratulation should receive a feeble echo. Our harp has long been unused to tones of gladness, and our hills but faintly answer the unusual accent. Your heart, however, can appreciate the silence inflicted by suffering; and ours, alas, feels but too acutely, that the commiseration is sincere which flows from sympathy.

Let us hope that, when congratulating virtue in your royal person, on her signal triumph over the perjured, the profligate, and the corrupt, we may also rejoice in the completion of its consequences. Let us hope that the society of your only child again solaces your dignified retirement; and that, to the misfortune of being a widowed wife, is not added the pang of being a childless mother!

But if, Madam, our hopes are not fulfilled; if, indeed, the cry of an indignant and unanimous people is disregarded; console yourself with the reflection, that, though your exiled daughter may not hear the precepts of virtue from your lips, she may at least study the practice of it in your example.

A

SPEECH

DELIVERED BY

MR. PHILLIPS

AT A PUBLIC DINNER GIVEN TO HIM

BY THE

FRIENDS OF CIVIL AND RELIGIOUS LIBERTY

IN

LIVERPOOL.

BELIEVE me, Mr. Chairman, I feel too sensibly the high and unmerited compliment you have paid me, to attempt any other return than the simple expression of my gratitude; to be just, I must be silent; but though the tongue is mute, my heart is much more than eloquent. The kindness of friendship, the testimony of any class, however humble, carries with it no trifling gratification; but stranger as I am, to be so distinguished in this great city, whose wealth is its least recommendation; the emporium of commerce, liberality, and public spirit; the birth-place of talent; the residence of integrity; the field where freedom seems to have rallied the last allies of her

cause, as if, with the noble consciousness that, though patriotism could not wreath the laurel round her brow, genius should at least raise it over her ashes; to be so distinguished, Sir, and in such a place, does, I confess, inspire me with a vanity which even a sense of my unimportance cannot entirely silence. Indeed, Sir, the ministerial critics of Liverpool were right. I have no claim to this enthusiastic welcome. But I cannot look upon this testimonial, so much as a tribute to myself, as an omen to that country with whose fortunes the dearest sympathies of my soul are intertwined. Oh yes, I do foresee when she shall hear with what courtesy her most pretensionless advocate has been treated, how the same wind that wafts her the intelligence, will revive that flame within her, which the blood of ages has not been able to extinguish. It may be a delusive hope, but I am glad to grasp at any phantom that flits across the solitude of that country's desolation. On this subject you can scarcely be ignorant, for you have an Irishman resident amongst you, whom I am proud to call my friend; whose fidelity to Ireland no absence can diminish; who has at once the honesty to be candid, and the talent to be convincing. I need scarcely say I allude to Mr. Casey. I knew, Sir, the statue was too striking to require a name upon the pedestal. Alas, Ireland has little now to console her, except the consciousness of having produced such men. It would be a reasonable adulation in me to deceive you. Six centuries of base misgovernment,

of causeless, ruthless, and ungrateful persecution, have now reduced that country to a crisis, at which I know not whether the friend of humanity has most cause to grieve or to rejoice; because I am not sure that the same feeling which prompts the tear at human sufferings, ought not to triumph in that increased infliction which may at length tire them out of endurance. I trust in God a change of system may in time anticipate the results of desperation; but you may quite depend on it, a period is approaching when, if penalty does not pause in the pursuit, patience will turn short on the pursuer. Can you wonder at it? Contemplate Ireland during any given period of England's rule, and what a picture does she exhibit! Behold her created in all the prodigality of nature; with a soil that anticipates the husbandman's desires; with habours courting the commerce of the world; with rivers capable of the most effective navigation; with the ore of every metal struggling through her surface; with a people, brave, generous, and intellectual, literally forcing their way through the disabilities of their own country into the highest stations of every other, and well rewarding the policy that promotes them, by achievements the most heroic, and allegiance without a blemish. How have the successive governments of England demeaned themselves to a nation, offering such an accumulation of moral and political advantages! See it in the state of Ireland at this instant; in the universal bankruptcy that overwhelms her; in the loss of her trade; in the annihilation of her manu-

factures; in the deluge of her debt; in the divisions of her people; in all the loathsome operations of an odious, monopolising, hypocritical fanaticism on the one hand, wrestling with the untiring but natural reprisals of an irritated population on the other! It required no common ingenuity to reduce such a country to such a situation. But it has been done; man has conquered the beneficence of the Deity; his harpy touch has changed the viands to corruption; and that land, which you might have possessed in health and wealth and vigour, to support you in your hour of need, now writhes in the agonies of death, unable even to lift the shroud with which famine and fatuity try to encumber her convulsion. This is what I see a pensioned press denominates tranquillity. Oh, woe to the land threatened with such tranquillity; *solitudinem faciunt, pacem appellant;* it is not yet the tranquillity of solitude; it is not yet the tranquillity of death; but if you would know what it is, go forth in the silence of creation, when every wind is hushed, and every echo mute, and all nature seems to listen in dumb and terrified and breathless expectation, go forth in such an hour, and see the terrible tranquillity by which you are surrounded! How could it be otherwise; when for ages upon ages invention has fatigued itself with expedients for irritation; when, as I have read with horror in the progress of my legal studies, the homicide of a "mere Irishman" was considered justifiable; and when his ignorance was the origin of all his crimes, his education was ro-

hibited *by Act of Parliament!*—when the people were worm-eaten by the odious vermin which a Church and State adultery had spawned; when a bad heart and brainless head were the fangs by which every foreign adventurer and domestic traitor fastened upon office; when the property of the native was but an invitation to plunder, and his non-acquiescence the signal for confiscation; when religion itself was made the odious pretence for every persecution, and the fires of hell were alternatively lighted with the cross, and quenched in the blood of its defenceless followers! I speak of times that are passed: but can their recollections, can their consequences be so readily eradicated. Why, however, should I refer to periods that are distant? Behold, at this instant, five millions of her people disqualified on account of their faith, and that by a country professing freedom! and that under a government calling itself Christian! You (when I say You, of course I mean, not the high-minded people of England, but the men who misgovern us both) seem to have taken out a roving commission in search of grievances abroad, whilst you overlook the calamities at your own door, and of your own infliction. You traverse the ocean to emancipate the African; you cross the line to convert the Hindoo; you hurl your thunder against the savage Algerine; but your own brethren at home, who speak the same tongue, acknowledge the same King, and kneel to the same God, cannot get one visit from *your itinerant humanity!* Oh,

such a system is almost too abominable for a name; it is a monster of impiety, impolicy, ingratitude, and injustice! The pagan nations of antiquity scarcely acted on such barbarous principles. Look to ancient Rome, with her sword in one hand and her constitution in the other, healing the injuries of conquest with the embrace of brotherhood, and wisely converting the captive into the citizen. Look to her great enemy, the glorious Carthaginian, at the foot of the Alps, ranging his prisoners round him, and by the politic option of captivity or arms, recruiting his legions with the very men whom he had literally conquered into gratitude! They laid their foundations deep in the human heart, and their success was proportionate to their policy. You complain of the violence of the Irish Catholic; can you wonder he is violent? It is the consequence of your own infliction —

> "The flesh will quiver where the pincers tear,
> The blood will follow where the knife is driven."

Your friendship has been to him worse than hostility; he feels its embrace but by the pressure of his fetters! I am only amazed he is not more violent. He fills your exchequer, he fights your battles, he feeds your clergy from whom he derives no benefit, he shares your burdens, he shares your perils, he shares every thing except your privileges; *can you wonder he is violent?* No matter what his merit, no matter what his claims, no matter what his services; he sees himself a nominal

subject, and a real slave; and his children, the heirs, perhaps of his toils, perhaps of his talents, certainly of his disqualifications — *can you wonder he is violent?* He sees every pretended obstacle to his emancipation vanished; Catholic Europe your ally, the Bourbon on the throne, the Emperor a captive, the Pope a friend, the aspersions on his faith disproved by his allegiance to you against, alternately, every Catholic potentate in Christendom, and he feels himself branded with hereditary degradation — *can you wonder, then, that he is violent?* He petitioned humbly; his tameness was construed into a proof of apathy. He petitioned boldly; his remonstrance was considered as an impudent audacity. He petitioned in peace; he was told it was *not the time.* He petitioned in war; he was told it was *not the time.* A strange interval, a prodigy in politics, a pause between peace and war, which appeared to be just made for him, arose; I allude to the period between the retreat of Louis and the restoration of Buonaparte; he petitioned then, and he was told it was *not the time.* Oh, shame! shame! shame! I hope he will petition no more to a parliament so equivocating. However, I am not sorry they did so equivocate, because I think they have suggested one common remedy for the grievances of both countries, and that remedy is, a REFORM OF THAT PARLIAMENT. Without that, I plainly see, there is no hope for Ireland, there is no salvation for England; they will act towards you as they have done towards us; they will admit your reasoning, they will ad-

mire your eloquence, and they will prove their sincerity by a strict perseverance in the impolicy you have exposed, and the profligacy you have deprecated. Look to England at this moment. To what a state have they not reduced her! Over this vast island, for whose wealth the winds of Heaven seemed to blow, covered as she once was with the gorgeous mantle of successful agriculture, all studded over with the gems of art and manufacture, there is now scarce an object but industry in rags, and patience in despair: the merchant without a ledger, the fields without a harvest, the shops without a customer, the Exchange deserted, and the Gazette crowded, form the most heart-rending comments on that nefarious system, in support of which, peers and contractors, stock-jobbers and sinecurists, in short, the whole trained, collared, pampered, and rapacious pack of ministerial beagles, have been, for half a century, in the most clamorous and discordant uproar! During all this misory how are the pilots of the state employed? Why, in feeding the bloated mammoth of sinecure! in weighing the farthings of some underling's salary! in preparing Ireland for a garrison, and England for a poor-house! in the structure of Chinese palaces! the decoration of dragoons, and the erection of public buildings!!! Oh, it's easily seen we have a saint in the Exchequer! he has studied Scripture to some purpose! the famishing people cry out for *bread*, and the scriptural minister gives them *stones!* Such has been the result of the blessed Pitt system, which amid

oceans of blood, and 800 millions expenditure, has left you, after all your victories, a triumphant dupe, a trophied bankrupt. I have heard before of states ruined by the visitations of Providence, devastated by famine, wasted by fire, overcome by enemies; but never until now did I see a state like England, impoverished by her spoils, and conquered by her successes! She has fought the fight of Europe; she has purchased all its *coinable blood;* she has subsidized all its dependencies in their own cause; she has conquered by sea, she has conquered by land; she has got peace, and, of course, or the Pitt apostles would not have made peace, she has got her "indemnity for the past, and security for the future," and here she is, after all her vanity and all her victories, surrounded by desolation, like one of the pyramids of Egypt; amid the grandeur of the desert, full of magnificence and death, at once a trophy and a tomb! The heart of any reflecting man must burn within him, when he thinks that the war thus sanguinary in its operations, and confessedly ruinous in its expenditure, was even still more odious in its principle! It was a war avowedly undertaken for the purpose of forcing France out of her undoubted right of choosing her own monarch; a war which uprooted the very foundations of the English constitution; which libelled the most glorious era in our national annals; which declared tyranny eternal, and announced to the people, amid the thunder of artillery, that, no matter how aggrieved, their only allowable attitude was that of supplication; which, when it

told the French reformer of 1793, that his defeat was just, told the British reformer of 1688, his triumph was treason, and exhibited to history, the terrific farce of a Prince of the House of Brunswick, the creature of the Revolution, OFFERING AN HUMAN HECATOMB UPON THE GRAVE OF JAMES THE SECOND!! What else have you done? You have succeeded indeed in dethroning Napoleon, and you have dethroned a monarch, who, with all his imputed crimes and vices, shed a splendour around royalty, too powerful for the feeble vision of legitimacy even to bear. He had many faults; I do not seek to palliate them. He deserted his principles; I rejoice that he has suffered. But still let us be generous even in our enmities. How grand was his march! How magnificent his destiny! Say what we will, Sir, he will be the land-mark of our times in the eye of posterity. The goal of other men's speed was his starting-post; crowns were his play-things, thrones his footstool; he strode from victory to victory; his path was "a plane of continued elevations." Surpassing the boast of the too confident Roman, he but stamped upon the earth, and not only armed men, but states and dynasties, and arts and sciences, all that mind could imagine, or industry produce, started up, the creation of enchantment. He is fallen—as the late Mr. Whitbread said, "you made him, and he unmade himself"—his own ambition was his glorious conqueror. He attempted, with a sublime audacity, to grasp the fires of Heaven, and his heathen retribution has been the vulture and the

rock!! I do not ask what you have gained by it, because, in place of gaining any thing, you are infinitely worse than when you commenced the contest! But what have you done for Europe? What have you achieved for man? Have morals been ameliorated? Has liberty been strengthened? Has any one improvement in politics or philosophy been produced? Let us see how. You have restored to Portugal a Prince of whom we know nothing, except that, when his dominions were invaded, his people distracted, his crown in danger, and all that could interest the highest energies of man at issue, he left his cause to be combated by foreign bayonets, and fled with a dastard precipitation to the shameful security of a distant hemisphere! You have restored to Spain a wretch of even worse than proverbial princely ingratitude; who filled his dungeons, and fed his rack with the heroic remnant that braved war, and famine, and massacre beneath his banners; who rewarded patriotism with the prison, fidelity with the torture, heroism with the scaffold, and piety with the Inquisition; whose royalty was published by the signature of his death-warrants, and whose religion evaporated in the *embroidering of petticoats for the Blessed Virgin!* You have forced upon France a family to whom misfortune could teach no mercy, or experience wisdom; vindictive in prosperity, servile in defeat, timid in the field, vacillating in the cabinet; suspicion amongst themselves, discontent amongst their followers; their memories tenacious but of the punishments they had pro-

voked, their piety active but in subserviency to their priesthood, and their power passive but in the subjugation of their people! Such are the dynasties you have *conferred* on Europe. In the very act, that of enthroning three individuals of the same family, you have committed in politics a capital error; but Providence has countermined the ruin you were preparing; and whilst the impolicy prevents the chance, their impotency precludes the danger of a coalition. As to the rest of Europe, how has it been ameliorated? What solitary benefit have the "deliverers" conferred? They have partitioned the states of the feeble to feed the rapacity of the powerful; and after having alternately adored and deserted Napoleon, they have wreaked their vengeance on the noble, but unfortunate fidelity that spurned their example. Do you want proofs; look to Saxony, look to Genoa, look to Norway, but, above all, to Poland! that speaking monument of regal murder and legitimate robbery—

> Oh! bloodiest picture in the book of time—
> Sarmatia fell—unwept—without a crime!

Here was an opportunity to recompense that brave, heroic, generous, martyred, and devoted people; here was an opportunity to convince Jacobinism that crowns and crimes were not, of course, coexistent, and that the highway rapacity of one generation might be atoned by the penitential retribution of another! Look to Italy; parcelled out to temporising Austria—the land of the muse, the historian, and the hero; the scene of every

classic recollection; the sacred fane of antiquity, where the genius of the world weeps and worships, and the spirits of the past start into life at the inspiring pilgrimage of some kindred Roscoe. You do yourselves honour by this noble, this natural enthusiasm. Long may you enjoy the pleasure of possessing, never can you lose the pride of having produced the scholar without pedantry, the patriot without reproach, the Christian without superstition, the man without a blemish! It is a subject I could dwell on with delight for ever. How painful our transition to the disgusting path of the deliverers. Look to Prussia, after fruitless toil and wreathless triumphs, mocked with the promise of a visionary constitution. Look to France, chained and plundered, weeping over the tomb of her hopes and her heroes. Look to England, eaten by the cancer of an incurable debt, exhausted by poor-rates, supporting a civil list of near a million and a half, annual amount, guarded by a standing army of 149,000 men, misrepresented by a House of Commons, 90 of whose members in places and pensions derive 200,000*l.* in yearly emoluments from the minister, mocked with a military peace, and girt with the fortifications of a war-establishment! Shades of heroic millions, these are thy achievements! Monster of Legitimacy, this is thy consummation!!! The past is out of power; it is high time to provide against the future. Retrenchment and reform are now become not only expedient for our prosperity, but necessary to our very existence. Can any man of sense say that the

present system should continue? What! when war and peace have alternately thrown every family in the empire into mourning and poverty, shall the fattened tax-gatherer extort the starving manufacturer's last shilling, to swell the unmerited and enormous sinecure of some wealthy pauper? Shall a borough-mongering faction convert what is misnamed the National Representation into a mere instrument for raising the supplies which are to gorge its own venality? Shall the mock dignitaries of Whiggism and Toryism lead their hungry retainers to contest the profits of an alternate ascendency over the prostrate interest of a too generous people? These are questions which I blush to ask, which I shudder to think must be either answered by the parliament or the people. Let our rulers prudently avert the interrogation. We live in times when the slightest remonstrance should command attention, when the minutest speck that merely dots the edge of the political horizon, may be the car of the approaching spirit of the storm? Oh! they are times whose omen no fancied security can avert; times of the most awful and portentous admonition. Establishments the most solid, thrones the most ancient, coalitions the most powerful, have crumbled before our eyes; and the creature of a moment robed, and crowned, and sceptered, raised his fairy creation on their ruins! The warning has been given; may it not have been given in vain!

I feel, Sir, that the magnitude of the topics I have touched, and the imminency of the perils

which seem to surround us, have led me far beyond the limits of a convivial meeting. I see I have my apology in your indulgence—but I cannot prevail on myself to trespass farther. Accept, again, Gentlemen, my most grateful acknowledgments. Never, never can I forget this day: in private life it shall be the companion of my solitude; and if, in the caprices of that fortune which will at times degrade the high and dignify the humble, I should hereafter be called to any station of responsibility, I think I may at least fearlessly promise the friends who thus crowd around me, that no act of mine shall ever raise a blush at the recollection of their early encouragement. I hope, however, the benefit of this day will not be confined to the humble individual you have so honoured: I hope it will cheer on the young aspirants after virtuous fame in both our countries, by proving to them, that however, for the moment, envy, or ignorance, or corruption, may depreciate them, there is a reward in store for the man who thinks with integrity and acts with decision. Gentlemen, you will add to the obligations you have already conferred, by delegating to me the honour of proposing to you the health of a man, whose virtues adorn, and whose talents powerfully advocate our cause; I mean the health of your worthy Chairman, Mr. SHEPHERD.

SPEECH

OF

MR. PHILLIPS

IN

THE CASE OF GUTHRIE *v.* STERNE,

DELIVERED

IN THE COURT OF COMMON PLEAS,

DUBLIN.

My Lord, and Gentlemen,

IN this case I am of counsel for the plaintiff, who has deputed me, with the kind concession of my much more efficient colleagues, to detail to you the story of his misfortunes. In the course of a long friendship which has existed between us, originating in mutual pursuits, and cemented by our mutual attachments, never, until this instant, did I feel any thing but pleasure in the claims which it created, or the duty which it imposed. In selecting me, however, from this bright array of learning and of eloquence, I cannot help being pained at the kindness of a partiality which forgets its interest in the exercise of

its affection, and confides the task of practised wisdom to the uncertain guidance of youth and inexperience. He has thought, perhaps, that truth needed no set phrase of speech; that misfortune should not veil the furrows which its tears had burned; or hide, under the decorations of an artful drapery, the heart-rent heavings with which its bosom throbbed. He has surely thought that, by contrasting mine with the powerful talents selected by his antagonist, he was giving you a proof that the appeal he made was to your reason, not to your feelings — to the integrity of your hearts, not the exasperation of your passions. Happily however for him, happily for you, happily for the country, happily for the profession, on subjects such as this, the experience of the oldest amongst us is but slender; deeds such as this are not indigenous to an Irish soil, or naturalised beneath an Irish climate. We hear of them, indeed, as we do of the earthquakes that convulse, or the pestilence that infects, less favoured regions; but the record of the calamity is only read with the generous scepticism of innocence, or an involuntary thanksgiving to the Providence that has preserved us. No matter how we may have graduated in the scale of nations; no matter with what wreath we may have been adorned, or what blessings we may have been denied; no matter what may have been our feuds, our follies, or our misfortunes; it has at least been universally conceded, that our hearths were the home of the domestic virtues, and that love, honour, and conjugal fidelity, were the dear and

indisputable deities of our household: around the fire-side of the Irish hovel hospitality circumscribed its sacred circle; and a provision to punish created a suspicion of the possibility of its violation. But of all the ties that bound—of all the bounties that blessed her—Ireland most obeyed, most loved, most reverenced, the nuptial contract. She saw it the gift of Heaven, the charm of earth, the joy of the present, the promise of the future, the innocence of enjoyment, the chastity of passion, the sacrament of love: the slender curtain that shades the sanctuary of her marriage-bed, has in its purity the splendour of the mountain-snow, and for its protection the texture of the mountain-adamant. Gentlemen, that national sanctuary has been invaded; that venerable divinity has been violated; and its tenderest pledges torn from their shrine, by the polluted rapine of a kindless, heartless, prayerless, remorseless adulterer! To you — religion defiled, morals insulted, law despised, public order foully violated, and individual happiness wantonly wounded, make their melancholy appeal. You will hear the facts with as much patience as indignation will allow — I will, myself, ask of you to adjudge them with as much mercy as justice will admit.

The Plaintiff in this case is JOHN GUTHRIE; by birth, by education, by profession, by better than all, by practice and by principles, a *gentleman*. Believe me, it is not from the common-place of advocacy, or from the blind partiality of friendship, that I say of him, that whether considering

the virtues that adorn life, or the blandishments that endear it, he has few superiors. Surely, if a spirit that disdained dishonour, if a heart that knew not guile, if a life above reproach, and a character beyond suspicion, could have been a security against misfortunes, his lot must have been happiness. I speak in the presence of that profession to which he was an ornament, and with whose members his manhood has been familiar; and I say of him, with a confidence that defies refutation, that, whether we consider him in his private or his public station, as a man or as a lawyer, there never breathed that being less capable of exciting enmity towards himself, or of offering, even by implication, an offence to others. If he had a fault, it was, that, above crime, he was above suspicion; and to that noblest error of a noble nature he has fallen a victim. Having spent his youth in the cultivation of a mind which must have one day led him to eminence, he became a member of the profession by which I am surrounded. Possessing, as he did, a moderate independence, and looking forward to the most flattering prospects, it was natural for him to select amongst the other sex, some friend who should adorn his fortunes, and deceive his toils. He found such a friend, or thought he found her, in the person of Miss *H'arven*, the only daughter of an eminent solicitor. Young, beautiful, and accomplished, she was "adorned with all that earth or heaven could bestow to make her amiable." Virtue never found a fairer temple; beauty never veiled a purer sanc-

tuary: the graces of her mind retained the admiration which her beauty had attracted, and the eye, which her charms fired, became subdued and chastened in the modesty of their association. She was in the dawn of life, with all its fragrance round her, and yet so pure, that even the blush, which sought to hide her lustre, but disclosed the vestal deity that burned beneath it. No wonder an adoring husband anticipated all the joys this world could give him; no wonder the parental eye, which beamed upon their union, saw, in the perspective, an old age of happiness, and a posterity of honour. Methinks I see them at the sacred altar, joining those hands which Heaven commanded none should separate, repaid for many a pang of anxious nurture by the sweet smile of filial piety; and in the holy rapture of the rite, worshipping the power that blessed their children, and gave them hope their names should live hereafter. It was virtue's vision! None but fiends could envy it. Year after year confirmed the anticipation; four lovely children blessed their union. Nor was their love the summer-passion of prosperity; misfortune proved, afflictions chastened it: before the mandate of that mysterious Power which will at times despoil the paths of innocence, to decorate the chariot of triumphant villany, my client had to bow in silent resignation. He owed his adversity to the benevolence of his spirit; he "went security for friends;" those friends deceived him, and he was obliged to seek in other lands, that safe asylum which his own denied him.

He was glad to accept an offer of professional business in Scotland during his temporary embarrassment. With a conjugal devotion, Mrs. Guthrie accompanied him; and in her smile the soil of a stranger was a home, the sorrows of adversity were dear to him. During their residence in Scotland, a period of about a year, you will find they lived as they had done in Ireland, and as they continued to do until this calamitous occurrence, in a state of uninterrupted happiness. You shall hear, most satisfactorily, that their domestic life was unsullied and undisturbed. Happy at home, happy in a husband's love, happy in her parents' fondness, happy in the children she had nursed, Mrs. Guthrie carried into every circle — and there was no circle in which her society was not courted — that cheerfulness which never was a companion of guilt, or a stranger to innocence. My client saw her the pride of his family, the favourite of his friends — at once the organ and ornament of his happiness. His ambition awoke, his industry redoubled; and that fortune, which, though for a season it may frown, never totally abandons probity and virtue, had begun to smile on him. He was beginning to rise in the ranks of his competitors, and rising with such a character, that emulation itself rather rejoiced than envied. It was at this crisis, in this, the noon of his happiness, and day-spring of his fortune, that, to the ruin of both, the Defendant became acquainted with his family. With the serpent's wile, and the serpent's wickedness, he stole into

the Eden of domestic life, poisoning all that was pure, polluting all that was lovely, defying God, destroying man; a demon in the disguise of virtue, a herald of hell in the paradise of innocence. His name, Gentlemen, is WILLIAM PETER BAKER DUNSTANVILLE STERNE: one would think he had epithets enough, without adding to them the title of *Adulterer*. Of his character I know but little, and I am sorry that I know so much. If I am instructed rightly, he is one of those vain and vapid coxcombs, whose vices tinge the frivolity of their follies with something of a more odious character than ridicule — with just head enough to contrive crime, but not heart enough to feel for its consequences; one of those fashionable insects, that folly has painted, and fortune plumed, for the annoyance of our atmosphere; dangerous alike in their torpidity and their animation; infesting where they fly, and poisoning where they repose. It was through the introduction of Mr. *Fallon*, the son of a most respectable lady, then resident in Temple-street, and a near relative of Mr. Guthrie, that the Defendant and this unfortunate woman first became acquainted: to such an introduction the shadow of a suspicion could not possibly attach. Occupied himself in his professional pursuits, my client had little leisure for the amusement of society: however, to the protection of Mrs. Fallon, her son, and daughters, moving in the first circles, unstained by any possible imputation, he without hesitation confided all that was dear to him. No suspicion could be awakened as to any man to

whom such a female as Mrs. Fallon permitted an intimacy with her daughters; while at her house then, and at the parties which it originated, the defendant and Mrs. Guthrie had frequent opportunities of meeting. Who could have suspected, that, under the very roof of virtue, in the presence of a venerable and respected matron, and of that innocent family, whom she had reared up in the sunshine of her example, the most abandoned profligate could have plotted his iniquities! Who would not rather suppose, that, in the rebuke of such a presence, guilt would have torn away the garland from its brow, and blushed itself into virtue. But the depravity of this man was of no common dye: the asylum of innocence was selected only as the sanctuary of his crimes; and the pure and the spotless chosen as his associates, because they would be more unsuspected subsidiaries to his wickedness. Nor were his manner and his language less suited than his society to the concealment of his objects. If you believed himself, the sight of suffering affected his nerves; the bare mention of immorality smote upon his conscience; an intercourse with the continental courts had refined his mind into a painful sensibility to the barbarisms of Ireland! and yet an internal tenderness towards his native land so irresistibly impelled him to improve it by his residence, that he was a hapless victim to the excess of his feelings! — the exquisiteness of his polish! — and the excellence of his patriotism! His English estates, he said, amounted to about 10,000*l.*

a-year; and he retained in Ireland only a trifling 3000*l.* more, as a kind of trust for the necessities of its inhabitants!—In short, according to his own description, he was in religion a saint, and in morals a stoic!—a sort of wandering philanthropist! making, like the *Sterne* who, he confessed, had the honour of his name and his connection, a *Sentimental Journey* in search of objects over whom his heart might weep, and his sensibility expand itself!

How happy it is, that, of the philosophic profligate only retaining the vices and the name, his rashness has led to the arrest of crimes, which he had all his turpitude to commit, without any of his talents to embellish.

It was by arts such as I have alluded to—by pretending the most strict morality, the most sensitive honour, the most high and undeviating principles of virtue,—that the defendant banished every suspicion of his designs. As far as appearances went, he was exactly what he described himself. His pretensions to morals he supported by the most reserved and respectful behaviour: his hand was lavish in the distribution of his charities; and a splendid equipage, a numerous retinue, a system of the most profuse and prodigal expenditure, left no doubt as to the reality of his fortune. Thus circumstanced, he found an easy admittance to the house of Mrs. Fallon, and there he had many opportunities of seeing Mrs. Guthrie; for, between his family and that of so respectable a relative as Mrs. Fallon, my client had much anxiety to increase the connection. They visited together some of the public

amusements; they partook of some of the fêtes in the neighbourhood of the metropolis; but upon every occasion, Mrs. Guthrie was accompanied by her own mother, and by the respectable females of Mrs. Fallon's family. I say, upon *every* occasion: and I challenge them to produce one single instance of those innocent excursions, upon which the slanders of an interested calumny have been let loose, in which this unfortunate lady was not matronized by her female relatives, and those some of the most spotless characters in society. Between Mr. Guthrie and the defendant, the acquaintance was but slight. Upon one occasion alone they dined together; it was at the house of the plaintiff's father-in-law; and, that you may have some illustration of the defendant's character, I shall briefly instance his conduct at this dinner. On being introduced to Mr. Warren, he apologised for any deficiency of etiquette in his visits, declaring that he had been seriously occupied in arranging the affairs of his lamented father, who, though tenant for life, had contracted debts to an enormous amount. He had already paid upwards of 10,000*l.* which honour and not law compelled him to discharge; as, sweet soul! he could not bear that any one should suffer unjustly by his family! His subsequent conduct was quite consistent with this hypocritical preamble: at dinner, he sat at a distance from Mrs. Guthrie; expatiated to her husband upon matters of morality; entering into a high-flown panegyric on the virtues of domestic life, and the comforts of con-

nubial happiness. In short, had there been any idea of jealousy, his manner would have banished it; and the mind must have been worse than sceptical, which would refuse its credence to his *surface* morality, Gracious God! when the heart once admits guilt as its associate, how every natural emotion flies before it! Surely, surely, here was a scene to reclaim, if it were possible, this remorseless defendant — admitted to her father's table, under the shield of hospitality, he saw a young and lovely female, surrounded by her parents, her husband, and her children; the prop of those parents' age; the idol of that husband's love; the anchor of those children's helplessness; the sacred orb of their domestic circle; giving their smile its light, and their bliss its being; robbed of whose beams the little lucid world of their home must become chill, uncheered, and colourless for ever. He saw them happy, he saw them united; blessed with peace, and purity, and profusion; throbbing with sympathy and throned in love; depicting the innocence of infancy, and the joys of manhood, before the venerable eye of age, as if to soften the farewell of one world by the pure and pictured anticipation of a better. Yet, even there, hid in the very sun-beam of that happiness, the demon of its destined desolation lurked. Just Heaven! of what materials was that heart composed, which could meditate coolly on the murder of such enjoyments; which innocence could not soften, nor peace propitiate, nor hospitality appease; but which, in the very beam and

bosom of its benefaction, warmed and excited itself into a more vigorous venom? Was there no sympathy in the scene? Was there no remorse at the crime? Was there no horror at its consequences?

"Were honour, virtue, conscience, all exil'd!
Was there no pity, no relenting ruth,
To shew the parents fondling o'er their child,
Then paint the ruin'd pair and their distraction wild!"

BURNS.

No! no! He was at that instant planning their destruction; and, even within four short days, he deliberately reduced those parents to childishness, that husband to widowhood, those smiling infants to anticipated orphanage, and that peaceful, hospitable, confiding family, to helpless, hopeless, irremediable ruin!

Upon the first day of the ensuing July, Mr. Guthrie was to dine with the Connaught bar, at the hotel of Portobello. It is a custom, I am told, with the gentlemen of that association to dine together previous to the circuit; of course my client could not have decorously absented himself. Mrs. Guthrie appeared a little feverish, and he requested that, on his retiring, she would compose herself to rest; she promised him she would; and when he departed, somewhat abruptly, to put some letters in the post-office, she exclaimed, "What! John, are you going to leave me thus?" He returned, and she kissed him. They seldom parted, even for any time, without that token of affection. I am thus minute, Gentlemen, that you may see, up to the last moment, what little cause the hus-

27055

band had for suspicion, and how impossible it was for him to foresee a perfidy which nothing short of infatuation could have produced. He proceeded to his companions with no other regret than that necessity, for a moment, forced him from a home, which the smile of affection had never ceased to endear to him. After a day, however, passed, as such a day might have been supposed to pass, in the flow of soul, and the philosophy of pleasure, he returned home to share his happiness with her, without whom no happiness ever had been perfect. Alas! he was never to behold her more! Imagine, if you can, the phrenzy of his astonishment, in being informed by Mrs. Porter, the daughter of the former landlady, that about two hours before, she had attended Mrs. Guthrie to a confectioner's shop; that a carriage had drawn up at the corner of the street, into which a gentleman, whom she recognised to be a Mr. Sterne, had handed her, and they instantly departed. I must tell you, there is every reason to believe, that this woman was the confidant of the conspiracy. What a pity that the object of that guilty confidence had not something of humanity; that, as a female, she did not feel for the character of her sex; that, as a mother, she did not mourn over the sorrows of a helpless family! What pangs might she not have spared? My client could hear no more: even at the dead of night he rushed into the street, as if in its own dark hour he could discover guilt's recesses. In vain did he awake the peaceful family of the horror-struck Mrs. Fallon; in vain with the

parents of the miserable fugitive, did he mingle the tears of an impotent distraction; in vain, a miserable maniac, did he traverse the silent streets of the metropolis, affrighting virtue from its slumber, with the spectre of its own ruin. I will not harrow you with its heart-rending recital. But imagine you see him, when the day had dawned, returning wretched to his deserted dwelling; seeing in every chamber a memorial of his loss, and hearing every tongueless object eloquent of his woe. Imagine you see him, in the reverie of his grief, trying to persuade himself it was all a vision, and awakened only to the horrid truth by his helpless children *asking him for their mother!* — Gentlemen, this is not a picture of the fancy; it literally occurred: there is something less of romance in the reflection, which his children awakened in the mind of their afflicted father; he ordered that they should be immediately habited in mourning. How rational sometimes are the ravings of insanity! For all the purposes of maternal life, poor innocents! they have no mother; her tongue no more can teach, her hand no more can tend them; for them there is not "speculation in her eyes;" to them her life is something worse than death; as if the awful grave had yawned her forth, she moves before them, shrouded all in sin, the guilty burden of its peaceless sepulchre. Better, far better, their little feet had followed in her funeral, than the hour which taught her value, should reveal her vice — mourning her loss, they might have blessed

her memory; and shame need not have rolled its fires into the fountain of their sorrow.

As soon as his reason became sufficiently collected, Mr. Guthrie pursued the fugitives: he traced them successively to Kildare, to Carlow, Waterford, Milfordhaven, on through Wales, and finally to Ilfracombe, in Devonshire, where the clue was lost. I am glad that, in this rout and restlessness of their guilt, as the crime they perpetrated was foreign to our soil, they did not make that soil the scene of its habitation. I will not follow them through this joyless journey, nor brand by my record the unconscious scene of its pollution. But philosophy never taught, the pulpit never enforced, a more imperative morality than the itinerary of that accursed tour promulgates. Oh! if there be a maid or matron in this island, balancing between the alternative of virtue and of crime, trembling between the hell of the seducer and the adulterer, and the heaven of the parental and the nuptial home, let her pause upon this one out of the many horrors I could depict, — and be converted. I will give you the relation in the very words of my brief; I cannot improve upon the simplicity of the recital:

"On the 7th of July they arrived at Milford; the captain of the packet dined with them, and was astonished at the magnificence of her dress." (Poor wretch! she was decked and adorned for the sacrifice!) "The next day they dined alone. Towards evening, the housemaid, passing near their chamber, heard Mr. Sterne *scolding*, and,

apparently *beating* her! In a short time after, Mrs. Guthrie rushed out of her chamber into the drawing-room, and throwing herself in agony upon the sofa, she exclaimed, "*Oh! what an unhappy wretch I am! — I left my home, where I was happy, too happy, seduced by a man who has deceived me. My poor* HUSBAND! *my dear* CHILDREN! *Oh! if they would even let my little* WILLIAM *live with me! — it would be some consolation to my* BROKEN HEART!"

> "Alas! nor children more can she behold,
> Nor friends, nor sacred home."

Well might she lament over her fallen fortunes! well might she mourn over the memory of days when the sun of heaven seemed to rise but for her happiness! well might she recal the home she had endeared, the children she had nursed, the hapless husband, of whose life she was the pulse! But one short week before, this earth could not reveal a lovelier vision: — Virtue blessed, affection followed, beauty beamed on her; the light of every eye, the charm of every heart, she moved along in cloudless chastity, cheered by the song of love, and circled by the splendours she created! Behold her now, the loathsome refuse of an adulterous bed; festering in the very infection of her crime; the scoff and scorn of their unmanly, merciless, inhuman author? But thus it ever is with the votaries of guilt; the birth of their crime is the death of their enjoyment; and the wretch who flings his offering on its altar, falls an immediate victim to the flame of his devotion. I am glad it

is so; it is a wise, retributive dispensation; it bears the stamp of a preventive Providence. I rejoice it is so, in the present instance, first, because this premature infliction must ensure repentance in the wretched sufferer; and next, because, as this adulterous fiend has rather acted on the suggestions of his nature than his shape, by rebelling against the finest impulse of man, he has made himself an outlaw from the sympathies of humanity. — Why should he expect that charity from you, which he would not spare even to the misfortunes he had inflicted? For the honour of the form in which he is disguised, I am willing to hope he was so blinded by his vice, that he did not see the full extent of those misfortunes. If he had feelings capable of being touched, it is not to the faded victim of her own weakness, and of his wickedness, that I would direct them. There is something in her crime which affrights charity from its commiseration. But, Gentlemen, there is one, over whom pity may mourn, — for he is wretched; and mourn without a blush, — for he is guiltless. How shall I depict to you the deserted husband? To every other object in this catalogue of calamity there is some stain attached which checks compassion. But here — Oh! if ever there was a man amiable, it was that man. Oh! if ever there was a husband fond, it was that husband. His hope, his joy, his ambition, was domestic; his toils, were forgotten in the affections of his home; and amid every adverse variety of fortune, hope pointed to his children, — and he was comforted. By this vile

act that hope is blasted, that house is a desert, those children are parentless! In vain do they look to their surviving parent: his heart is broken, his mind is in ruins, his very form is fading from the earth. He had one consolation, an aged mother, on whose life the remnant of his fortunes hung, and on whose protection of his children his remaining prospects rested; even that is over; — she could not survive his shame, she never raised her head, she became hearsed in his misfortune; — he has followed her funeral. If this be not the climax of human misery, tell me in what does human misery consist? Wife, parent, fortune, prospects, happiness, — all gone at once, — and gone for ever! For my part, when I contemplate this, I do not wonder at the impression it has produced on him; I do not wonder at the faded form, the dejected air, the emaciated countenance, and all the ruinous and mouldering trophies, by which misery has marked its triumph over youth, and health, and happiness? I know, that in the hordes of what is called fashionable life, there is a sect of philosophers, wonderfully patient of their fellow-creatures' sufferings; men too insensible to feel for any one, or too selfish to feel for others. I trust there is not one amongst you who can even hear of such calamities without affliction; or, if there be, I pray that he may never know their import by experience; that having, in the wilderness of this world, but one dear and darling object, without whose participation bliss would be joyless, and in whose sympathies sorrow

has found a charm; whose smile has cheered his toil, whose love has pillowed his misfortunes, whose angel-spirit, guiding him through danger, and darkness, and despair, amid the world's frown and the friend's perfidy, was more than friend, and world, and all to him! God forbid, that by a villain's wile, or a villain's wickedness, he should be taught how to appreciate the woe of others in the dismal solitude of his own. Oh, no! I feel that I address myself to human beings, who, knowing the value of what the world is worth, are capable of appreciating all that makes it dear to us.

Observe, however,—lest this crime should want aggravation—observe, I beseech you, the *period* of its accomplishment. My client was not so young as that the elasticity of his spirit could rebound and bear him above the pressure of the misfortune, nor was he withered by age into a comparative insensibility; but just at that temperate interval of manhood, when passion had ceased to play, and reason begins to operate; when love, gratified, left him nothing to desire; and fidelity, long tried, left him nothing to apprehend: he was just, too, at that period of his professional career, when, his patient industry having conquered the ascent, he was able to look around him from the height on which he rested. For this, welcome had been the day of tumult, and the pale midnight lamp succeeding; welcome had been the drudgery of form; welcome the analysis of crime; welcome the sneer of envy, and the scorn of dulness, and all the spurns which "patient merit of

the unworthy takes." For this he had encountered, perhaps, the generous rivalry of genius, perhaps the biting blasts of poverty, perhaps the efforts of that deadly slander, which, coiling round the cradle of his young ambition, might have sought to crush him in its envenomed foldings.

> "Ah! who can tell how hard it is to climb
> The steep where Fame's proud temple shines afar?
> Ah! who can tell how many a soul sublime
> Hath felt the influence of malignant star,
> And waged with fortune an eternal war?"

Can such an injury as this admit of justification? I think the learned counsel will concede it cannot. But it may be palliated. Let us see how. *Perhaps* the defendant was young and thoughtless; perhaps unmerited prosperity raised him above the pressure of misfortune; and the wild pulses of impetuous passion impelled him to a purpose at which his experience would have shuddered. Quite the contrary. The noon of manhood has almost passed over him; and a youth, spent in the recesses of a debtor's prison, made him familiar with every form of human misery: he saw what misfortune was; — it did not teach him pity: he saw the effects of guilt; — he spurned the admonition. *Perhaps* in the solitude of a single life, he had never known the social blessedness of marriage; — he has a wife and children; or, if she be not his wife, she is the victim of his crime, and adds another to the calendar of his seduction. Certain it is, he has little children, who think themselves legitimate; will his advocates defend him, by

proclaiming their bastardy? Certain it is, there is a wretched female, his own cousin too, who thinks herself his wife; will they protect him, by proclaiming he has only deceived her into being his prostitute? *Perhaps* his crime, as in the celebrated case of *Howard*, immortalized by Lord *Erskine*, may have found its origin in parental cruelty; it might perhaps have been, that in their spring of life, when Fancy waved her fairy wand around them, till all above was sun-shine, and all beneath was flowers; when to their clear and charmed vision this ample world was but a weedless garden, where every tint spoke Nature's loveliness, and every sound breathed Heaven's melody, and every breeze was but embodied fragrance; it might have been that, in this cloudless holiday, Love wove his roseate bondage round them, till their young hearts so grew together, a separate existence ceased, and life itself became a sweet identity; it might have been that, envious of this paradise, some worse than demon tore them from each other, to pine for years in absence, and at length to perish in a palliated impiety. Oh! Gentlemen, in such a case, Justice herself, with her uplifted sword, would call on Mercy to preserve the victim. There was no such palliation: — the period of their acquaintance was little more than sufficient for the maturity of their crime; and they dare not libel Love, by shielding under its soft and sacred name the loathsome revels of an adulterous depravity. *It might have been*, the husband's cruelty left a too easy inroad for se-

duction. Will they dare assert it? Ah! too well they knew he would not let "the winds of heaven visit her face too roughly." Monstrous as it is, I have heard, indeed, that they mean to rest upon an opposite palliation; I have heard it rumoured, that they mean to rest the wife's infidelity upon the husband's fondness. I know that guilt, in its conception mean, and in its commission tremulous, is, in its exposure, desperate and audacious. I know that, in the fugitive panic of its retreat, it will stop to fling its Parthian poison upon the justice that pursues it. But I do hope, bad and abandoned, and hopeless as their cause is, — I do hope, for the name of human nature, that I have been deceived in the rumours of this unnatural defence. Merciful God! is it in the presence of this venerable Court, is it in the hearing of this virtuous jury, is it in the zenith of an enlightened age, that I am to be told, because female tenderness was not watched with worse than Spanish vigilance, and harassed with worse than eastern severity; because the marriage-contract is not converted into the curse of incarceration; because woman is allowed the dignity of a human soul, and man does not degrade himself into a human monster; because the vow of endearment is not made the vehicle of deception, and the altar's pledge is not become the passport of a barbarous perjury; and that too in a land of courage and chivalry, where the female form has been held as a patent direct from the Divinity, bearing in its chaste and charmed helplessness

the assurance of its strength, and the amulet of its protection: am I to be told, that the demon adulterer is therefore not only to perpetrate his crimes, but to vindicate himself, through the very virtues he has violated? I cannot believe it; I dismiss the supposition: it is most "monstrous, foul, and unnatural." Suppose that the plaintiff pursued a different principle; suppose that his conduct had been the reverse of what it was; suppose, that in place of being kind, he had been cruel to this deluded female; that he had been her tyrant, not her protector; her gaoler, not her husband: what then might have been the defence of the adulterer? Might he not then say, and say with speciousness, "True, I seduced her into crime, but it was to save her from cruelty; true, she is *my adulteress*, because he was *her despot*." Happily, Gentlemen, he can say no such thing. I have heard it said, too, during the ten months of calumny, for which, by every species of legal delay, they have procrastinated this trial, that, next to the impeachment of the husband's tenderness, they mean to rely on what they libel as the levity of their unhappy victim! I know not by what right any man, but above all, a married man, presumes to scrutinize into the conduct of a married female. I know not, Gentlemen, how you would feel, under the consciousness that every coxcomb was at liberty to estimate the warmth, or the coolness, of your wives, by the barometer of his vanity, that he might ascertain precisely the prudence of his invasion on their virtue. But I do know, that

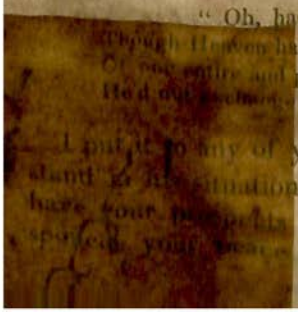
such a defence, coming from such a quarter, would not at all surprise me. Poor — unfortunate — fallen female! How can she expect mercy from her destroyer? How can she expect that he will revere the characters he was careless of preserving? How can she suppose that, after having made her peace the pander to his appetite, he will not make her reputation the victim of his avarice? Such a defence is quite to be expected: knowing him, it will not surprise me; if I know you, it will not avail him.

Having now shown you, that a crime, almost unprecedented in this country, is clothed in every aggravation, and robbed of every palliative, it is natural you should enquire, what was the motive for its commission? What do you think it was? Providentially — miraculously, I should have said, for you never could have divined — the Defendant has himself disclosed it. What do you think it was, Gentlemen? *Ambition!* But a few days before his criminality, in answer to a friend, who rebuked him for the almost princely expenditure of his habits, "Oh," says he, "never mind; Sterne must do something, by which Sterne may be *known!*" I had heard, indeed, that ambition was [illegible] then a vice, so equivocal, it verged [illegible] it was the aspiration of a spirit, [illegible]ps appalling, always magnificent; [illegible] grasp might be fate, and its flight [illegible], still it reposed on earth's pinnacle, [illegible]aven's lightnings; that though it [illegible]s, it arose in fire, and was withal

so splendid, that even the horrors of that fall became immerged and mitigated in the beauties of that aberration! But here is an ambition! — base, and barbarous, and illegitimate; with all the grossness of the vice, with none of the grandeur of the virtue; a mean, muffled, dastard incendiary, who, in the silence of sleep, and in the shades of midnight, steals his Ephesian torch into the fane, which it was virtue to adore, and worse than sacrilege to have violated!

Gentlemen, my part is done; yours is about to commence. You have heard this crime — its origin, its progress, its aggravations, its novelty among us. Go and tell your children and your country, whether or not it is to be made a precedent. Oh, how awful is your responsibility! I do not doubt that you will discharge yourselves of it as becomes your characters. I am sure, indeed, that you will mourn with me over the almost solitary defect in our otherwise matchless system of jurisprudence, which leaves the perpetrators of such an injury as this, subject to no amercement but that of money. I think you will lament the failure of the great *Cicero* of our age, to bring such an offence within the cognisance of a criminal jurisdiction: it was a subject suited to his legislative mind, worthy of his feeling heart, worthy of his immortal eloquence. I cannot, my Lord, even remotely allude to Lord *Erskine*, without gratifying myself by saying of him, that by the rare union of all that was learned in law with all that was [illegible] in eloquence; by the singular [illegible]

that was pure in morals with all that was profound in wisdom; he has stamped upon every action of his life the blended authority of a great mind, and an unquestionable conviction. I think, Gentlemen, you will regret the failure of such a man in such an object. The merciless murderer may have manliness to plead; the highway robber may have want to palliate; yet they both are objects of criminal infliction: but the murderer of connubial bliss, who commits his crime in secrecy; — the robber of domestic joys, whose very wealth, as in this case, may be his instrument; — he is suffered to calculate on the infernal fame which a superfluous and unfelt expenditure may purchase. The law, however, is so: and we must only adopt the remedy it affords us. In your adjudication of that remedy, I do not ask too much, when I ask the full extent of your capability: how poor, even so, is the wretched remuneration for an injury which nothing can repair, — for a loss which nothing can alleviate? Do you think that a mine could recompense my client for the forfeiture of her who was dearer than life to him?



" Oh, had she been but true,
Though Heaven had made him such another world,
perfect chrysolite,
her for it!"

you, what would you take to
? What would you take to
blasted, your profession de-
ruined, your bed profaned,

your parents heart-broken, your children parentless? Believe me, Gentlemen, if it were not for those children, he would not come here to-day to seek such remuneration; if it were not that, by your verdict, you may prevent those little innocent defrauded wretches from wandering beggars, as well as orphans, on the face of this earth. Oh, I know I need not ask this verdict from your mercy; I need not extort it from your compassion; I will receive it from your justice. I do conjure you, not as fathers, but as husbands;—not as husbands, but as citizens;—not as citizens, but as men;—not as men, but as Christians;—by all your obligations, public, private, moral, and religious;—by the hearth profaned; by the home desolated; by the canons of the living God foully spurned;—save, oh! save your fire-sides from the contagion, your country from the crime, and perhaps thousands, yet unborn, from the shame, and sin, and sorrow of this example!

SPEECH

OF

MR. PHILLIPS

IN

THE CASE OF O'MULLAN *v.* M'KORKILL,

DELIVERED

IN THE COUNTY COURT-HOUSE,

GALWAY.

My Lords and Gentlemen,

I AM instructed as of counsel for the Plaintiff, to state to you the circumstances in which this action has originated. It is a source to me, I will confess it, of much personal embarrassment. Feebly indeed, can I attempt to convey to you, the feelings with which a perusal of this brief has affected me; painful to you must be my inefficient [illegible] painful to all who have the common [illegible] country or of kind, must be this calamitous compendium of all that degrades our individual [illegible] and of all that has, for many an age of sorrow, perpetuated a curse upon our national character. It is, perhaps, the misery of this pro-

fession, that every hour our vision may be blasted by some withering crime, and our hearts wrung with some agonising recital; there is no frightful form of vice, or no disgusting phantom of infirmity, which guilt does not array in spectral train before us. Horrible is the assemblage! humiliating the application! but thank God, even amid those very scenes of disgrace and of debasement, occasions oft arise for the redemption of our dignity; occasions, on which the virtues breathed into us, by heavenly inspiration, walk abroad in the divinity of their exertion; before whose beam the wintry robe falls from the form of virtue, and all the midnight images of horror vanish into nothing. Joyfully and piously do I recognise such an occasion; gladly do I invoke you to the generous participation; yes, Gentlemen, though you must prepare to hear much that degrades our nature, much that distracts our country — though all that oppression could devise against the poor — though all that persecution could inflict upon the feeble — though all that vice could wield against the pious — though all that the venom of a venal turpitude could pour upon the patriot, must with their alternate apparition afflict, affright, and humiliate you, still do I hope, that over this charnel house of crime — over this very sepulchre, where corruption sits enthroned upon the merit it has murdered, that voice is at length about to be heard, by which the martyred victim will arise to vindicate the ways of Providence, and prove that even [illegible] adversity there is a might and immo[illegible]

The Plaintiff, Gentlemen, you have heard, is the Rev. Cornelius O'Mullan; he is a clergyman of the church of Rome, and became invested with that venerable appellation, so far back as September 1804. It is a title which you know, in this country, no rank ennobles, no treasure enriches, no establishment supports; its possessor stands undisguised by any *rag* of this world's decoration, resting all temporal, all eternal hope upon his toil, his talents, his attainments, and his piety—doubtless, after all, the highest honours, as well as the most imperishable treasures of the man of God. Year after year passed over my client, and each anniversary only gave him an additional title to these qualifications. His precept was but the handmaid to his practice; the sceptic heard him, and was convinced; the ignorant attended him, and were taught; he smoothed the death-bed of too heedless wealth; he rocked the cradle of the infant charity: oh, no wonder he walked in the sunshine of the public eye, no wonder he toiled through the pressure of the public benediction. This is not an idle declamation; such was the result his ministry produced, that within five years from the date of its commencement nearly 2000*l.* of voluntary subscription [illegible] mple where such precepts were [illegible] h piety exemplified. Such was [illegible] Mr. O'Mullan, when a dissolution [illegible] ok place, and an unexpected con- [illegible] esentation of Derry, threw that [illegible] ual commotion. One of the can- [illegible] the Ponsonby family—a family

devoted to the interests, and dear to the heart of Ireland; he naturally thought that his parliamentary conduct entitled him to the vote of every Catholic in the land; and so it did, not only of every Catholic, but of every Christian who preferred the diffusion of the Gospel to the ascendancy of a sect, and loved the principles of the constitution better than the pretensions of a party. Perhaps your will think with me, that there is a sort of posthumous interest thrown about that event, when I tell you, that the candidate on that occasion was the lamented Hero over whose tomb the tears, not only of Ireland, but of Europe, have been so lately shed; he who, mid the blossom of the world's chivalry, died conquering a deathless name upon the field of Waterloo. He applied to Mr. O'Mullan for his interest, and that interest was cheerfully given, the concurrence of his bishop having been previously obtained. Mr. Ponsonby succeeded; and a dinner, to which all parties were invited, and from which all party spirit was expected to absent itself, was given to commemorate one common triumph — the purity and the privileges of election. In other countries, such an expectation might be natural; the e[illegible] noble constitutional privilege, the t[illegible] great popular cause, might not una[illegible] itself in the intercourse of the board, [illegible] hearts in the natural bond of festiv[illegible] ration. But; alas, Gentlemen, in this u[illegible] such has been the result, whether o[illegible] our follies, or our misfortunes, that [illegible]

disunion converts the very balm of the bowl into poison, commissioning its vile and harpy offspring, to turn even our festivity into famine. My client was at this dinner; it was not to be endured that a Catholic should pollute with his presence the civic festivities of the *loyal* Londonderry! such an intrusion, even the acknowledged sanctity of his character could not excuse; it became necessary to insult him. There is a toast, which, perhaps, few in this united county are in the habit of hearing, but it is the invariable watchword of the Orange orgies; it is briefly entitled "The glorious, pious, and immortal memory of the great and good King William." I have no doubt the simplicity of your understandings is puzzled how to discover any offence in the commemoration of the Revolution Hero. The loyalists of Derry are more wise in their generation. There, when some Bacchanalian bigots wish to avert the intrusive visitations of their own memory, they commence by violating the memory of King William.* Those who happen to have shoes or silver in their fraternity—no very usual occurrence—thank His Ma-

* , handed down by Orange tradition, is literally ... e give it for the edification of the sister ...

... us, and immortal memory of the great and ..., who saved us from Pope and Popery, ... brass money and wooden shoes; here is bad ... d a hempen rope to all Papists ——"

... g, if they cannot stand, nine times nine, ... which none but the *elect* can comprehend.

jesty that the shoes are not wooden, and that the silver is not brass, a commodity, by the bye, of which any legacy would have been quite superfluous. The Pope comes in for a pious benediction: and the toast concludes with a patriotic wish, for all of his persuasion, by the consummation of which, there can be no doubt, the hempen manufactures of this country would experience a very considerable consumption. Such, Gentlemen, is the enlightened, and liberal, and social sentiment of which the first sentence, all that is usually given, forms the suggestion. I must not omit that it is generally taken standing, always providing *it be in the power of the company*. This toast was pointedly given to insult Mr. O'Mullan. Naturally averse to any altercation, his most obvious course was to quit the company, and this he did immediately. He was, however, as immediately recalled by an intimation, that the Catholic question, and might its claims be considered justly and liberally, had been toasted as a peace-offering by Sir George Hill, the City Recorder. My client had no gall in his disposition; he at once clasped to his heart the friendly overture, and in such phrase as his sim[illegible] plied, poured forth the gratitude of t[illegible] the liberal Recorder. Poor O'Mull[illegible] wisdom to imagine that the politici[illegible] ment was the man's conviction, and [illegible] toast was the certain prelude to a p[illegible] suffrage. Despising all experience, [illegible] the adage, *Cælum non animum mut[illegible]*

mare currunt, to the Irish patriot. I need not paint to you the consternation of Sir George, at so unusual and so unparliamentary a construction. He indignantly disclaimed the intention imputed to him, denied and deprecated the unfashionable inference, and acting on the broad scale of an impartial policy, gave to one party the weight of his vote, and to the other, the (no doubt in his opinion) equally valuable acquisition of his eloquence;—by the way, no unusual compromise amongst modern politicians.

The proceedings of this dinner soon became public. Sir George, you may be sure, was little in love with his notoriety. However, Gentlemen, the sufferings of the powerful are seldom without sympathy; if they receive not the solace of the disinterested and the sincere, they are at least sure to find a substitute in the miserable professions of an interested hypocrisy. Who could imagine, that Sir George, of all men, was to drink from the spring of Catholic consolation? yet so it happened. Two men of that communion had the hardihood, and the servility, to frame an address to him, reflecting upon the pastor, who was its pride, and its ornament. This address, with the most [illegible]ious commentaries, was instantly published by the Derry Journalist, who, from that hour, down to the period of his ruin, has never ceased to persecute my client, with all that the most deliberate falsehood could invent, and all that the most infuriate bigotry could perpetrate. This Journal, I may as well now describe to you;

it is one of the numerous publications which the misfortunes of this unhappy land have generated, and which has grown into considerable affluence by the sad contributions of the public calamity. There is not a provincial village in Ireland, which some such official fiend does not infest, fabricating a gazette of fraud and falsehood, upon all who presume to advocate her interests, or uphold the ancient religion of her people;—the worst foes of government, under pretence of giving it assistance; the deadliest enemies to the Irish name, under the mockery of supporting its character; the most licentious, irreligious, illiterate banditti, that ever polluted the fair fields of literature, under the spoliated banner of the press. Bloated with the public spoil, and blooded in the chase of character, no abilities can arrest, no piety can awe: no misfortune affect, no benevolence conciliate them; the reputation of the living, and the memory of the dead, are equally plundered in their desolating progress; even the awful sepulchre affords not an asylum to their selected victim. HUMAN HYENAS! they will rush into the sacred receptacle of death, gorging their ravenous and brutal rapine, amid the memorials of our last infirmity! Such is a too true picture of what I hope unauthoris[illegible] itself the ministerial press of Irelan[illegible]. And that polluted press, it is for you to say, whether *The Londonderry Journal* stands on an [illegible] vation. When this address was pub[illegible] name of the Catholics, that calumn[illegible]

was naturally to be expected, became universally indignant.

You may remember, Gentlemen, amongst the many expedients resorted to by Ireland, for the recovery of her rights, after she had knelt session after session at the bar of the legislature, covered with the wounds of glory, *and praying redemption from the chains that rewarded them*; — you may remember, I say, amongst many vain expedients of supplication and remonstrance, her Catholic population delegated a board to consult on their affairs, and forward their petition. Of that body, fashionable as the topic has now become, far be it from me to speak with disrespect. It contained much talent, much integrity; and it exhibited what must ever be to me an interesting spectacle, a great body of my fellow-men, and fellow-christians, claiming admission into that constitution which their ancestors had achieved by their valour, and to which they were entitled as their inheritance. This is no time, this is no place for the discussion of that question; but since it does force itself incidentally upon me, I will say, that, as on the one hand, I cannot fancy a despotism more [illegible] more inhuman, than the political de[illegible] on account of that faith by which [illegible] an happy eternity hereafter; so [illegible] I CANNOT FANCY A VISION IN ITS [illegible] DIVINE THAN THE ETERNAL CROSS [illegible] MARTYR'S BLOOD, AND RADIANT [illegible] PILGRIM'S HOPE, REARED BY THE PATRIOT [illegible] CHRISTIAN HAND, HIGH IN THE VAN OF

UNIVERSAL LIBERTY. Of this board the two volunteer framers of the address happened to be members. The body who deputed them, instantly assembled and declared their delegation void. You would suppose, Gentlemen, that after this decisive public brand of reprobation, those officious meddlers would have avoided its recurrence, by retiring from scenes for which nature and education had totally unfitted them. Far, however, from acting under any sense of shame, those excluded outcasts even summoned a meeting to appeal from the sentence the public opinion had pronounced on them. The meeting assembled, and after almost the day's deliberation on their conduct, the former sentence was unanimously confirmed. The men did not deem it prudent to attend themselves, but at a late hour when the business was concluded, when the resolutions had passed, when the chair was vacated, when the multitude was dispersing, they attempted with some Orange followers to obtrude into the chapel, which in large cities, such as Derry, is the usual place of meeting. An angry spirit arose among the people. Mr. O'Mullan, as was his duty, locked the doors to preserve the house of God from profanation, and addressed the crowd in such terms as induced them to repair peaceably to their respective habitations. I need not paint to you the bitter emotions with which these deservedly disappointed men were agitated. All hell was at work within them, and a conspiracy was hatched against the peace of my client, the vilest, the foulest, the most

infernal that ever vice devised, or demons executed. Restrained from exciting a riot by his interference, they actually swore a riot against him, prosecuted him to conviction, worked on the decaying intellect of his bishop to desert him, and amid the savage war-whoop of this slanderous Journal, all along inflaming the public mind by libels the most atrocious, finally flung this poor, religious, unoffending priest, into a damp and desolate dungeon, where the very iron that bound, had more of humanity than the despots that surrounded him. I am told, they triumph much in this conviction. I seek not to impugn the verdict of that jury; I have no doubt they acted conscientiously. It weighs not with me that every member of my client's creed was carefully excluded from that jury—*no doubt they acted conscientiously*. It weighs not with me that every man impannelled on the trial of the priest, was exclusively Protestant, and that, too, in a city so prejudiced, that not long ago, by their Corporation-law, no Catholic dare breathe the air of Heaven within its walls—*no doubt they acted conscientiously*. It weighs not with me, that not three days previously, one of [illegible] was heard publicly to declare, he wished he could persecute the Papist to his death—*no doubt they acted conscientiously*. It weighs not with me that the public mind had been so inflamed by the exasperation of this libeller, that an impartial trial was utterly impossible. Let them enjoy their triumph. But for myself, knowing [illegible] do, here in the teeth of that conviction,

I declare it, I would rather be that man, so aspersed, so imprisoned, so persecuted, and *have his consciousness*, than stand the highest of the courtliest rabble that ever crouched before the foot of power, or fed upon the people—plundered alms of despotism. Oh, of short duration is such dæmoniac triumph. Oh, blind and groundless is the hope of vice, imagining its victory can be more than for the moment. This very day I hope will prove, that if virtue suffers, it is but for a season; and that sooner or later their patience tried, and their purity testified, prosperity will crown the interests of probity and worth.

Perhaps you imagine, Gentlemen, that his person imprisoned, his profession gone, his prospects ruined, and what he held dearer than all, his character defamed; the malice of his enemies might have rested from persecution. "Thus bad begins, but worse remains behind." Attend, I beseech you, to what now follows, because I have come in order, to the particular libel, which we have selected from the innumerable calumnies of this Journal, and to which we call your peculiar consideration. Business of moment, to the nature of which, I shall feel it my duty presently to advert, called Mr. O'Mullan to the metropolis. Through the libels of the Defendant, he was at this time in disfavour with his bishop, and a rumour had gone abroad, that he was never again to revisit his ancient congregation. The bishop in the interim returned to Derry, and on the Sunday following, went to officiate at the parish

chapel. All ranks crowded tremulously round him; the widow sought her guardian; the orphan his protector; the poor their patron; the rich their guide; the ignorant their pastor; all, all, with one voice, demanded his recall, by whose absence the graces, the charities, the virtues of life, were left orphans in their communion. Can you imagine a more interesting spectacle? The human mind never conceived — the human hand never depicted a more instructive or delightful picture. Yet, will you believe it! out of this very circumstance, the Defendant fabricated the most audacious, and if possible, the most cruel of his Libels. Hear his words: — "O'Mullan," says he, "was convicted and degraded, for assaulting his own Bishop, and the Recorder of Derry, in the parish chapel!" Observe the disgusting malignity of the Libel — observe the crowded damnation which it accumulates on my client — observe all the aggravated crime which it embraces. First, he assaults his venerable Bishop — the great Ecclesiastical Patron, to whom he was sworn to be obedient, and against whom he never conceived or articulated irreverence. Next, he assaults the Recorder of Derry — a Privy Councillor, the supreme municipal authority of the City. And where does he do so? Gracious God, in the very temple of thy worship! That is, says the inhuman Libeller — he a citizen — he a Clergyman insulted not only the civil but the ecclesiastical authorities, in the face of man, and in the house of prayer; trampling contumeliously upon all human law,

amid the sacred altars, where he believed the Almighty witnessed the profanation! I am so horror-struck at this blasphemous and abominable turpitude, I can scarcely proceed. What will you say, Gentlemen, when I inform you, that at the very time this atrocity was imputed to him, he was in the city of Dublin, at a distance of 120 miles from the venue of its commission! But oh! when calumny once begins its work, how vain are the impediments of time and distance! Before the *sirocco* of its breath all nature withers, and age, and sex, and innocence, and station, perish in the unseen, but certain desolation of its progress! Do you wonder O'Mullan sunk before these accumulated calumnies; do you wonder the feeble were intimidated, the wavering decided, the prejudiced confirmed? He was forsaken by his Bishop; he was denounced by his enemies — his very friends fled in consternation from the "stricken deer;" he was banished from the scenes of his childhood, from the endearments of his youth, from the field of his fair and honourable ambition. In vain did he resort to strangers for subsistence; on the very wings of the wind, the calumny preceded him; and from that hour to this, a too true apostle, he has been "a man of sorrows," "not knowing where to lay his head." I will not appeal to your passions; alas! how inadequate am I to depict his sufferings; you must take them from the evidence. I have told you, that at the time of those infernally fabricated libels, the Plaintiff was in Dublin, and I promised to advert to the cause by which his absence was occasioned.

Observing in the course of his parochial duties, the deplorable, I had almost said the *organized ignorance of the Irish peasantry—an ignorance whence all their crimes, and most of their sufferings originate;* observing also, that there was no publicly established literary institution to relieve them, save only to the charter-schools, which tendered learning to the shivering child, as a bounty upon apostacy to the faith of his fathers; he determined if possible to give them the lore of this world, without offering it as a mortgage upon the inheritance of the next. He framed the prospectus of a school, for the education of five hundred children, and went to the metropolis to obtain subscriptions for the purpose. I need not descant upon the great general advantage, or to this country the peculiarly patriotic consequences, which the success of such a plan must have produced. No doubt, you have all personally considered—no doubt, you have all personally experienced, that of all the blessings which it has pleased Providence to allow us to cultivate, there is not one which breathes a purer fragrance, or bears an heavenlier aspect than education. It is a companion which no misfortunes can depress, no clime destroy, no enemy alienate, no despotism enslave; at home a friend, abroad an introduction, in solitude a solace, in society an ornament, it chastens vice, it guides virtue, it gives at once a grace and government to genius. Without it, what is man? A splendid slave! a reasoning savage, vacillating between the dignity of an intelligence derived from God, and the de-

gradation of passions participated with brutes; and in the accident of their alternate ascendancy, shuddering at the terrors of an hereafter, or embracing the horrid hope of annihilation. What is this wondrous world of his residence?

A mighty maze, and all without a plan;

a dark and desolate and dreary cavern, without wealth, or ornament or order. But light up within it the torch of knowledge, and how wondrous the transition! The seasons change, the atmosphere breathes, the landscape lives, earth unfolds its fruits, ocean rolls in its magnificence, the heavens display their constellated canopy, and the grand animated spectacle of nature rises revealed before him, its varieties regulated, and its mysteries resolved! The phenomena which bewilder, the prejudices which debase, the superstitions which enslave, vanish before education. Like the holy symbol which blazed upon the cloud before the hesitating Constantine, if man follow but its precepts purely, it will not only lead him to the victories of this world, but open the very portals of omnipotence for his admission. Cast your eye over the monumental map of ancient grandeur, once studded with the stars of empire, and the splendours of philosophy. What erected the little state of Athens into a powerful commonwealth, placing in her hand the sceptre of legislation, and wreathing round her brow the imperishable chaplet of literary fame; what extended Rome, the haunt of a banditti, into universal empire; what

animated Sparta with that high unbending, adamantine courage, which conquered nature herself, and has fixed her in the sight of future ages, a model of public virtue, and a proverb of national independence? What, but those wise public institutions which strengthened their minds with early application, informed their infancy with the principles of action, and sent them into the world, too vigilant to be deceived by its calms, and too vigorous to be shaken by its whirlwinds? But surely, if there be a people in the world, to whom the blessings of education are peculiarly applicable, it is the Irish people. Lively, ardent, intelligent, and sensitive; nearly all their acts spring from impulse, and no matter how that impulse be given, it is immediately adopted, and the adoption and the execution are identified. It is this principle, if principle it can be called, which renders Ireland alternately the poorest and the proudest country in the world; now chaining her in the very abyss of crime, now lifting her to the very pinnacle of glory; which in the poor, proscribed, peasant Catholic, crowds the gaol and feeds the gibbet; which in the more fortunate, because more educated Protestant, leads victory a captive at her car, and *holds echo mute at her eloquence*; making a national monopoly of fame, and, as it were, attempting to naturalise the achievements of the universe. In order that this libel may want no possible aggravation, the defendant published it when my client was absent on this work of patriotism; he published it when he was absent; he

published it when he was absent on a work of virtue; and he published it on all the authority of his local knowledge, when that very local knowledge must have told him, that it was destitute of the shadow of a foundation. Can you imagine a more odious complication of all that is deliberate in malignity, and all that is depraved in crime? I promised, Gentlemen, that I would not harrow your hearts, by exposing all that agonises mine, in the contemplation of individual suffering. There is, however, one subject connected with this trial, public in its nature, and universal in its interest, which imperiously calls for an exemplary verdict; I mean the liberty of the press—a theme which I approach with mingled sensations of awe, and agony, and admiration. Considering all that we too fatally have seen—all that, perhaps, too fearfully we may have cause to apprehend, I feel myself cling to that residuary safeguard, with an affection no temptations can seduce, with a suspicion no anodyne can lull, with a fortitude that peril but infuriates. In the direful retrospect of experimental despotism, and the hideous prospect of its possible re-animation, I clasp it with the desperation of a widowed female, who, in the desolation of her house, and the destruction of her household, hurries the last of her offspring through the flames, at once the relic of her joy, the depository of her wealth, and the remembrancer of her happiness. It is the duty of us all to guard strictly this inestimable privilege—a privilege which can never be destroyed, save by

the licentiousness of those who wilfully abuse it. No, IT IS NOT IN THE ARROGANCE OF POWER; NO, IT IS NOT IN THE ARTIFICES OF LAW; NO, IT IS NOT IN THE FATUITY OF PRINCES; NO, IT IS NOT IN THE VENALITY OF PARLIAMENTS, TO CRUSH THIS MIGHTY, THIS MAJESTIC PRIVILEGE: REVILED, IT WILL REMONSTRATE; MURDERED, IT WILL REVIVE; BURIED, IT WILL RE-ASCEND; THE VERY ATTEMPT AT ITS OPPRESSION WILL PROVE THE TRUTH OF ITS IMMORTALITY, AND THE ATOM THAT PRESUMED TO SPURN, WILL FADE AWAY BEFORE THE TRUMPET OF ITS RETRIBUTION! Man holds it on the same principle that he does his soul; the powers of this world cannot prevail against it; it can only perish through its own depravity. What then shall be his fate, through whose instrumentality it is sacrificed? Nay more, what shall be his fate, who, intrusted with the guardianship of its security, becomes the traitorous accessory to its ruin? Nay more, what shall be his fate, by whom its powers delegated for the public good, are converted into the calamities of private virtue; against whom, industry denounced, merit undermined, morals calumniated, piety aspersed, all through the very means confided for their protection, cry aloud for vengeance? What shall be his fate? Oh, I would hold such a monster, so protected, so sanctified, and so sinning, as I would some dæmon, who, going forth consecrated, in the name of the Deity, the book of life on his lips, and the dagger of death beneath his robe, awaits the sigh of piety, as the signal of plunder, and unveils the heart's blood of confiding adoration! Should not

such a case as this require some palliation? Is there any? Perhaps the defendant might have been misled as to circumstances? No, he lived upon the spot, and had the best possible information. Do you think he believed in the truth of the publication? No; he knew that in every syllable it was as false as perjury. Do you think that an anxiety for the Catholic community might have inflamed him against the imaginary dereliction of its advocate? No; the very essence of his Journal is prejudice. Do you think that in the ardour of liberty he might have venially transgressed its boundaries? No; in every line he licks the sores, and pampers the pestilence of authority. I do not ask you to be stoics in your investigation. If you can discover in this libel one motive inferentially moral, one single virtue which he has plundered and misapplied, give him its benefit. I will not demand such an effort of your faith, as to imagine, that his northern constitution could, by any miracle, be fired into the admirable but mistaken energy of enthusiasm; — that he could for one moment have felt the inspired phrenzy of those loftier spirits, who, under some daring but divine delusion, rise into the arch of an ambition so bright, so baneful, yet so beauteous, as leaves the world in wonder whether it should admire or mourn — whether it should weep or worship! No; you will not only search in vain for such a palliative, but you will find this publication springing from the most odious origin, and disfigured by the most foul accompaniments, founded in a bigotry at which hell rejoices,

crouching with a sycophancy at which flattery blushes, deformed by a falsehood at which perjury would hesitate, and, to crown the climax of its crowded infamies, committed under the sacred shelter of the Press; as if this false, slanderous, sycophantic slave, could not assassinate private worth without polluting public privilege; as if he could not sacrifice the character of the pious without profaning the protection of the free; as if he could not poison learning, liberty, and religion, unless he filled his chalice from the very font whence they might have expected to derive the waters of their salvation!

Now, Gentlemen, as to the measure of your damages: — You are the best judges on that subject; though, indeed, I have been asked, and I heard the question with some surprise, — why it is that we have brought this case at all to be tried before you. To that I might give at once an unobjectionable answer, namely, that the law allowed us. But I will deal much more candidly with you. We brought it here, because it was as far as possible from the scene of prejudice; because no possible partiality could exist; because, in this happy and united county, less of the bigotry which distracts the rest of Ireland exists, than in any other with which we are acquainted; because the nature of the action, which we have mercifully brought in place of a criminal prosecution, — the usual course pursued in the present day, at least against the independent press of Ireland, — gives them, if they have it, the power of proving a justifica-

tion; and I perceive they have emptied half the north here for the purpose. But I cannot anticipate an objection, which, no doubt, shall not be made. If this habitual libeller should characteristically instruct his counsel to hazard it, that learned gentleman is much too wise to adopt it, and must know you much too well to insult you by its utterance. What damages, then, Gentlemen, can you give? I am content to leave the defendant's crimes altogether out of the question, but how can you recompense the sufferings of my client? Who shall estimate the cost of priceless reputation — that impress which gives this human dross its currency, without which we stand despised, debased, depreciated? Who shall repair it injured? Who can redeem it lost? Oh! well and truly does the great philosopher of poetry esteem the world's wealth as "trash" in the comparison. Without it, gold has no value, birth no distinction, station no dignity, beauty no charm, age no reverence; or, should I not rather say, without it every treasure impoverishes, every grace deforms, every dignity degrades, and all the arts, the decorations, and accomplishments of life, stand, like the beacon-blaze upon a rock, warning the world that its approach is danger — that its contact is death. The wretch without it is under *an eternal quarantine*; — no friend to greet — no home to harbour him. The voyage of his life becomes a joyless peril; and in the midst of all ambition can achieve, or avarice amass, or rapacity plunder, he tosses on the surge — *a buoyant pesti-*

lence! But, Gentlemen, let me not degrade into the selfishness of individual safety, or individual exposure, this universal principle: it testifies an higher, a more ennobling origin. It is this which, consecrating the humble circle of the hearth, will at times extend itself to the circumference of the horizon; which nerves the arm of the patriot to save his country; which lights the lamp of the philosopher to amend man; which, if it does not inspire, will yet invigorate the martyr to merit immortality; which, when one world's agony is passed, and the glory of another is dawning, will prompt the prophet, even in his chariot of fire, and in his vision of heaven, to bequeath to mankind the mantle of his memory! Oh divine, oh delightful legacy of a spotless reputation! Rich is the inheritance it leaves; pious the example it testifies; pure, precious, and imperishable, the hope which it inspires! Can you conceive a more atrocious injury than to filch from its possessor this inestimable benefit — to rob society of its charm, and solitude of its solace; not only to outlaw life, but to attaint death, converting the very grave, the refuge of the sufferer, into the gate of infamy and of shame! I can conceive few crimes beyond it. He who plunders my property takes from me that which can be repaired by time: but what period can repair a ruined reputation? He who maims my person affects that which medicine may remedy: but what herb has sovereignty over the wounds of slander? He who ridicules my poverty, or reproaches my pro-

fession, upbraids me with that which industry may retrieve, and integrity may purify: but what riches shall redeem the *bankrupt fame?* what power shall blanch the *sullied snow of character?* Can there be an injury more deadly? Can there be a crime more cruel? It is without remedy — it is without antidote — it is without evasion! The reptile calumny is ever on the watch. From the fascination of its eye no activity can escape; from the venom of its fang no sanity can recover. It has no enjoyment but crime; it has no prey but virtue; it has no interval from the restlessness of its malice, save when, bloated with its victims, it grovels to disgorge them at the withered shrine, where envy idolises *her own infirmities.* Under such a visitation how dreadful would be the destiny of the virtuous and the good, if the providence of our constitution had not given you the power, as, I trust, you will have the principle, to bruise the head of the serpent, and crush and crumble the altar of its idolatry!

And now, Gentlemen, having toiled through this narrative of unprovoked and pitiless persecution, I should with pleasure consign my client to your hands, if a more imperative duty did not still remain to me, and that is, to acquit him of every personal motive in the prosecution of this action. No; in the midst of slander, and suffering, and severities unexampled, he has had no thought, but, that as his enemies evinced how malice could persecute, he should exemplify how religion could endure; that if his piety failed to affect the op-

pressor, his patience might at least avail to fortify the afflicted. He was as the rock of Scripture before the face of infidelity. The rain of the deluge had fallen — it only smoothed his asperities: the wind of the tempest beat — it only blanched his brow: the rod, not of prophecy, but of persecution smote him; and the desert, glittering with the Gospel dew, became a miracle of the faith it would have tempted! No, Gentlemen; not selfishly has he appealed to this tribunal: but the venerable religion wounded in his character, — but the august priesthood vilified in his person, — but the doubts of the sceptical, hardened by his acquiescence, — but the fidelity of the feeble, hazarded by his forbearance, goaded him from the profaned privacy of the cloister into this repulsive scene of public accusation. In him this reluctance springs from a most natural and characteristic delicacy: in us it would become a most overstrained injustice. No, Gentlemen: though with him we must remember morals outraged, religion assailed, law violated, the priesthood scandalised, the press betrayed, and all the disgusting calendar of abstract evil; yet with him we must not reject the injuries of the individual sufferer. We must picture to ourselves a young man, partly by the self-denial of parental love, partly by the energies of personal exertion, struggling into a profession, where, by the pious exercise of his talents, he may make the fame, the wealth, the flatteries of this world, so many angel heralds to the happiness of the next. His precept is a trea-

sure to the poor; his practice, a model to the rich. When he reproves, sorrow seeks his presence as a sanctuary; and in his path of peace, should he pause by the death-bed of despairing sin, the soul becomes *imparadised* in the light of his benediction! Imagine, Gentlemen, you see him thus; and then, if you can, imagine vice so desperate as to defraud the world of so fair a vision. Anticipate for a moment the melancholy evidence we must too soon adduce to you. Behold him by foul, deliberate, and infamous calumny, robbed of the profession he had so struggled to obtain, swindled from the flock he had so laboured to ameliorate, torn from the school where infant virtue vainly mourns an artificial orphanage, hunted from the home of his youth, from the friends of his heart, a hopeless, fortuneless, companionless exile, hanging, in some stranger scene, on the precarious pity of the few, whose charity might induce their compassion to bestow, what this remorseless slanderer would compel their justice to withhold! I will not pursue this picture; I will not detain you from the pleasure of your possible compensation; for oh! divine is the pleasure you are destined to experience: — dearer to your hearts shall be the sensation, than to your pride shall be the dignity it will give you. What! though the people will hail the saviours of their pastor: what! though the priesthood will hallow the guardians of their brother; though many a peasant heart will leap at your name, and many an infant eye will embalm their fame who restored to life, to station, to dig-

nity, to character, the venerable friend who taught their trembling tongues to lisp the rudiments of virtue and religion, still dearer than all will be the consciousness of the deed. Nor, believe me, countrymen, will it rest here. Oh no! if there be light in instinct, or truth in Revelation, believe me, at that awful hour, when you shall await the last inevitable verdict, the eye of your hope will not be the less bright, nor the agony of your ordeal the more acute, because you shall have, by this day's deed, redeemed the Almighty's persecuted Apostle, from the grasp of an insatiate malice — from the fang of a worse than Philistine persecution.

SPEECH

IN

THE CASE OF CONNAGHTON *v.* DILLON:

DELIVERED

IN THE COUNTY COURT-HOUSE

OF

ROSCOMMON.

My Lord and Gentlemen,

IN this case I am one of the counsel for the Plaintiff, who has directed me to explain to you the wrongs for which, at your hands, he solicits reparation. It appears to me a case which undoubtedly merits much consideration, as well from the novelty of its appearance amongst us, as for the circumstances by which it is attended. Nor am I ashamed to say, that in my mind, not the least interesting of those circumstances is the poverty of the man who has made this appeal to me. Few are the consolations which soothe — hard must be the heart which does not feel for him. He is, Gentlemen, a man of lowly birth and humble station; with little wealth but from the labour of

his hands, with no rank but the integrity of his character, with no recreation but in the circle of his home, and with no ambition, but, when his days are full, to leave that little circle the inheritance of an honest name, and the treasure of a good man's memory. Far inferior, indeed, is he in this respect to his more fortunate antagonist. He, on the contrary, is amply either blessed or cursed with those qualifications which enable a man to adorn or disgrace the society in which he lives. He is, I understand, the representative of an honourable name, the relative of a distinguished family, the supposed heir to their virtues, the indisputable inheritor of their riches. He has been for many years a resident of your county, and has had the advantage of collecting round him all those recollections, which, springing from the scenes of school-boy association, or from the more matured enjoyments of the man, crowd as it were unconsciously to the heart, and cling with a venial partiality to the companion and the friend. So impressed, in truth, has he been with these advantages, that, surpassing the usual expenses of a trial, he has selected a tribunal where he vainly hopes such considerations will have weight, and where he well knows my client's humble rank can have no claim but that to which his miseries may entitle him. I am sure, however, he has wretchedly miscalculated. I know none of you personally; but I have no doubt I am addressing men who will not prostrate their consciences before privilege or power; who will remember that there is a

nobility above birth, and a wealth beyond riches; who will feel that, as in the eye of that God to whose aid they have appealed, there is not the minutest difference between the rag and the robe, so in the contemplation of that law which constitutes our boast, guilt can have no protection, or innocence no tyrant; men who will have pride in proving, that the noblest adage of our noble constitution is not an illusive shadow; and that the peasant's cottage, roofed with straw and tenanted by poverty, stands as inviolate from all invasion as the mansion of the monarch.

My client's name, Gentlemen, is Connaghton, and when I have given you his name you have almost all his history. To cultivate the path of honest industry comprises, in one line, "the short and simple annals of the poor." This has been his humble, but at the same time most honourable occupation. It matters little with what artificial nothings chance may distinguish the name, or decorate the person: the child of lowly life, with virtue for his handmaid, holds as proud a title as the highest — as rich an inheritance as the wealthiest. Well has the poet of your country said — that

> "Princes or Lords may flourish or may fade,
> A breath can make them, as a breath has made;
> But a brave peasantry, their country's pride,
> When once destroy'd can never be supplied."

For all the virtues which adorn that peasantry, which can render humble life respected, or give the highest stations their most permanent dis-

tinctions, my client stands conspicuous. An hundred years of sad vicissitude, and, in this land, often of strong temptation, have rolled away since the little farm on which he lives received his family; and during all that time not one accusation has disgraced, not one crime has sullied it. The same spot has seen his grandsire and his parent pass away from this world; the village-memory records their worth, and the rustic tear hallows their resting-place. After all, when life's mockeries shall vanish from before us, and the heart that now beats in the proudest bosom here, shall moulder unconscious beneath its kindred clay, art cannot erect a nobler monument, or genius compose a purer panegyric. Such, Gentlemen, was almost the only inheritance with which my client entered the world. He did not disgrace it; his youth, his manhood, his age, up to this moment, have passed without a blemish; and he now stands confessedly the head of the little village in which he lives. About five-and-twenty years ago he married the sister of a highly respectable Roman Catholic clergyman, by whom he had a family of seven children, whom they educated in the principles of morality and religion, and who, until the defendant's interference, were the pride of their humble home, and the charm or the consolation of its vicissitudes. In their virtuous children the rejoicing parents felt their youth renewed, their age made happy: the days of labour became holidays in their smile; and if the hand of affliction pressed on them, they looked upon their little

ones, and their mourning ended. I cannot paint the glorious host of feelings; the joy, the love, the hope, the pride, the blended paradise of rich emotions with which the God of nature fills the father's heart when he beholds his child in all its filial loveliness, when the vision of his infancy rises as it were reanimate before him, and a divine vanity exaggerates every trifle into some mysterious omen, which shall smooth his aged wrinkles, and make his grave a monument of honour! *I* cannot describe them; but, if there be *a parent* on the jury, *he* will comprehend me. It is stated to me, that of all his children there were none more likely to excite such feelings in the plaintiff than the unfortunate subject of the present action; she was his favourite daughter, and she did not shame his preference. You shall find, most satisfactorily, that she was without stain or imputation; an aid and a blessing to her parents, and an example to her younger sisters, who looked up to her for instruction. She took a pleasure in assisting in the industry of their home; and it was at a neighbouring market, where she went to dispose of the little produce of that industry, that she unhappily attracted the notice of the defendant. Indeed, such a situation was not without its interest, — a young female, in the bloom of her attractions, exerting her faculties in a parent's service, is an object lovely in the eye of God, and, one would suppose, estimable in the eye of mankind. Far different, however, were the sensations which she excited in the defendant. He saw her arrayed, as

he confesses, in charms that enchanted him; but her youth, her beauty, the smile of her innocence, and the piety of her toil, but inflamed a brutal and licentious lust, that should have blushed itself away in such a presence. What cared *he* for the consequences of his gratification?—There was

> ..... "No honour, no relenting ruth,
> To paint the parents fondling o'er their child,
> Then show the ruin'd maid, and her distraction wild!"

What thought *he* of the home he was to desolate? What thought *he* of the happiness he was to plunder? His sensual rapine paused not to contemplate the speaking picture of the cottage-ruin, the blighted hope, the broken heart, the parent's agony, and, last and most withering in the woeful group, the wretched victim herself starving on the sin of a promiscuous prostitution, and at length perhaps, with her own hand, anticipating the more tedious murder of its diseases! *He* need not, if I am instructed rightly, have tortured his fancy for the miserable consequences of hope bereft, and expectation plundered. Through no very distant vista, he might have seen the form of deserted loveliness weeping over the worthlessness of his worldly expiation, and warning him, that as there were cruelties no repentance could atone, so there were sufferings neither wealth, nor time, nor absence could alleviate.* If his memory should fail

* Mr. PHILLIPS here alluded to a verdict of 5000*l.* obtained at the late Galway Assizes against the defendant, at the suit of

him, if he should deny the picture, no man can tell him half so efficiently as the venerable advocate he has so judiciously selected, that a case might arise, where, though the energy of native virtue should defy the spoliation of the person, still crushed affection might leave an infliction on the mind, perhaps less deadly, but certainly not less indelible. I turn from this subject with an indignation which tortures me into brevity; I turn to the agents by which this contamination was effected.

I almost blush to name them, yet they were worthy of their vocation. They were no other than a menial servant of Mr. Dillon; and a base, abandoned, profligate ruffian, a brother-in-law of the devoted victim herself, whose bestial appetites he bribed into subserviency! It does seem as if by such a selection he was determined to degrade the dignity of the master while he violated the finer impulses of the man, by not merely associating with his own servant, but by diverting the purest streams of social affinity into the vitiated sewer of his enjoyment. Seduced by such instruments into a low public-house at Athlone, this unhappy girl heard, without suspicion, their mercenary panegyric of the defendant, when, to her amazement, but no doubt, according to their previous arrangement, he entered and joined their company. I do con-

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Miss Wilson, a very beautiful and interesting young lady, for a breach of promise of marriage. Mr. WHITESTONE, who now pleaded for Mr. Dillon, was Miss Wilson's advocate against him on the occasion alluded to.

fess to you, Gentlemen, when I first perused this passage in my brief, I flung it from me with a contemptuous incredulity. What! I exclaimed, as no doubt you are all ready to exclaim, can this be possible? Is it thus I am to find the educated youth of Ireland occupied? Is this the employment of the miserable aristocracy, that yet lingers in this devoted country? Am I to find them, not in the pursuit of useful science, not in the encouragement of arts or agriculture, not in the relief of an impoverished tenantry, not in the proud march of an unsuccessful but not less sacred patriotism, not in the bright page of warlike immortality, dashing its iron crown from guilty greatness, or feeding freedom's laurel with the blood of the despot!—but am I to find them, amid drunken pandars and corrupted slaves, debauching the innocence of village-life, and even amid the stews of the tavern, collecting or creating the materials of the brothel! Gentlemen, I am still unwilling to believe it, and, with all the sincerity of Mr. Dillon's advocate, I do entreat you to reject it altogether, if it be not substantiated by the unimpeachable corroboration of an oath. As I am instructed, he did not, at this time, alarm his victim by any direct communication of his purpose; he saw that "she was good as she was fair," and that a premature disclosure would but alarm her virtue into an impossibility of violation. His satellites, however, acted to admiration. They produced some trifle which he had left for her disposal; they declared he had long felt for her a

sincere attachment; as a proof that it was pure, they urged the modesty with which, at a first interview, elevated above her as he was, he avoided its disclosure. When she pressed the madness of the expectation which could alone induce her to consent to his addresses, they assured her that though in the first instance such an event was impossible, still in time it was far from being improbable; that many men from such motives forgot altogether the difference of station, that Mr. Dillon's own family had already proved every obstacle might yield to an all-powerful passion, and induce him to make her his wife, who had reposed an affectionate credulity on his honour! Such were the subtle artifices to which he stooped. Do not imagine, however, that she yielded immediately and implicitly to their persuasions; I should scarcely wonder if she did. Every day shows us the rich, the powerful, and the educated, bowing before the spell of ambition, or avarice, or passion, to the sacrifice of their honour, their country, and their souls: what wonder, then, if a poor, ignorant, peasant girl had at once sunk before the united potency of such temptations! But she did not. Many and many a time the truths which had been inculcated by her adoring parents rose up in arms; and it was not until various interviews, and repeated artifices, and untiring efforts, that she yielded her faith, her fame, and her fortunes, to the disposal of her seducer. Alas, alas! how little did she suppose that a moment was to come when, every hope denounced,

and every expectation dashed, he was to fling her for a very subsistence on the charity or the crimes of the world she had renounced for him! How little did she reflect that in her humble station, unsoiled and sinless, she might look down upon the elevation to which vice would raise her! Yes, even were it a throne, I say she might look down on it. There is not on this earth a lovelier vision; there is not for the skies a more angelic candidate than a young, modest maiden, robed in chastity; no matter what its habitation, whether it be the palace or the hut:——

> "So dear to Heaven is saintly Chastity,
> That when a soul is found sincerely so,
> A thousand liveried angels lackey her,
> Driving far off each thing of sin and guilt,
> And in clear dream and solemn vision
> Tell her of things that no gross ear can hear,
> Till oft converse with heavenly habitants
> Begins to cast a beam on the outward shape,
> The unpolluted temple of the mind,
> And turns it by degrees to the soul's essence,
> Till all be made immortal!"——

Such is the supreme power of chastity, as described by one of our divinest bards, and the pleasure which I feel in the recitation of such a passage is not a little enhanced, by the pride that few countries more fully afford its exemplification than our own. Let foreign envy decry us as it will, CHASTITY IS THE INSTINCT OF THE IRISH FEMALE: the pride of her talents, the power of her beauty, the splendour of her accomplishments, are but so many handmaids of this vestal virtue; it adorns her in the court, it ennobles her in the cottage,

whether she basks in prosperity or pines in sorrow, it clings about her like the diamond of the morning on the mountain flowret, trembling even in the ray that at once exhibits and inhales it! Rare in our land is the absence of this virtue. Thanks to the modesty that venerates; thanks to the manliness that brands and avenges its violation. You have seen that it was by no common temptations even this humble villager yielded to seduction.

I now come, Gentlemen, to another fact in the progress of this transaction, betraying, in my mind, as base a premeditation, and as low and as deliberate a deception as I ever heard of. While this wretched creature was in a kind of counterpoise between her fear and her affection, struggling as well as she could between passion inflamed and virtue unextinguished, Mr. Dillon, ardently avowing that such an event as separation was impossible, ardently avowing an eternal attachment, insisted upon perfecting an article which should place her above the reach of contingencies. Gentlemen, you shall see this document voluntarily executed by an educated and estated gentleman of your county. I know not how you will feel, but for my part I protest I am in a suspense of admiration between the virtue of the proposal and the magnificent prodigality of the provision. Listen to the article; it is all in his own hand-writing:—"I promise," says he, "to give Mary Connaghton the sum of ten pounds sterling per annum, when I part with her; but if she, the said Mary, should at any time hereafter conduct herself improperly, *or*

(mark this, Gentlemen) *has done so before the drawing of this article*, I am not bound to pay the sum of ten pounds, and this article becomes null and void as if the same was never executed. John Dillon." There, Gentlemen, there is the notable and dignified document for you! take it into your Jury box, for I know not how to comment on it. Oh, yes, I have heard of ambition urging men to crime—I have heard of love inflaming even to madness—I have read of passion rushing over law and religion to enjoyment; but never, until this, did I see frozen avarice chilling the hot pulse of sensuality; and desire pause, before its brutish draught, that it might add deceit to desolation! I need not tell you that having provided in the very execution of his article for its predetermined infringement; that knowing, as he must, any stipulation for the purchase of vice to be invalid by our law; that having in the body of this article inserted a provision against that previous pollution which his prudent caprice might invent hereafter, but which his own conscience, her universal character, and even his own desire for her possession, all assured him did not exist at the time, I need not tell you that he now urges the invalidity of that instrument; that he now presses that previous pollution; that he refuses from his splendid income the pittance of ten pounds to the wretch he has ruined, and spurns her from him to pine beneath the *reproaches* of a parent's mercy, or linger out a living death in the charnel-houses of prostitution! You see, Gentlemen, to what designs like these

may lead a man. I have no doubt, if Mr. Dillon had given his heart fair play, had let his own nature gain a moment's ascendency, he would not have acted so; but there is something in guilt which infatuates its votaries forward: it may begin with a promise broken, it will end with the home depopulated. But there is something in a seducer of peculiar turpitude. I know of no character so vile, so detestable. He is the vilest of robbers, for he plunders happiness; the worst of murderers, for he murders innocence; his appetites are of the brute, his arts of the dæmon; the heart of the child and the corse of the parent are the foundations of the altar which he rears to a lust, whose fires are the fires of hell, and whose incense is the agony of virtue! I hope Mr. Dillon's advocate may prove that he does not deserve to rank in such a class as this; but if he does, I hope the infatuation inseparably connected with such proceedings may tempt him to deceive you through the same plea by which he has defrauded his miserable dupe.

I dare him to attempt the defamation of a character, which, before his cruelties, never was even suspected. Happily, Gentlemen, happily for herself, this wretched creature, thus cast upon the world, appealed to the parental refuge she had forfeited. I need not describe to you the parent's anguish at the heart-rending discovery. God help the *poor* man when misfortune comes upon him! How few are his resources! how distant his consolation! You must not forget, Gentlemen, that it is

not the unfortunate victim herself who appeals to you for compensation. Her crimes, poor wretch, have outlawed her from retribution, and, however the temptations by which her erring nature was seduced, may procure an audience from the ear of mercy, the stern morality of earthly law refuses their interference. No, no; it is the wretched parent who comes this day before you, — his aged locks withered by misfortune, and his heart broken by crimes of which he was unconscious. He resorts to this tribunal, in the language of the law, claiming the value of his daughter's servitude; but let it not be thought that it is for her mere manual labours he solicits compensation. No, you are to compensate him for all he has suffered, for all he has to suffer, for feelings outraged, for gratifications plundered, for honest pride put to the blush, for the exiled endearments of his once happy home, for all those innumerable and instinctive ecstacies with which a virtuous daughter fills her father's heart, for which language is too poor to have a name, but of which nature is abundantly and richly eloquent! Do not suppose I am endeavouring to influence you by the power of declamation. I am laying down to you the British law, as liberally expounded and solemnly adjudged. I speak the language of the English Lord Eldon, a judge of great experience and greater learning — (Mr. Phillips here cited several cases as decided by Lord Eldon.) — Such, Gentlemen, is the language of Lord Eldon. I speak also on the authority of our own Lord Avonmore, a judge who

illuminated the bench by his genius, endeared it by his suavity, and dignified it by his bold uncompromising probity; one of those rare men, who hid the thorns of law beneath the brightest flowers of literature, and, as it were, with the wand of an enchanter, changed a wilderness into a garden! I speak upon that high authority — but I speak on other authority paramount to all! — on the authority of nature rising up within the heart of man, and calling for vengeance upon such an outrage. God forbid, that in a case of this kind we were to grope our way through the ruins of antiquity, and blunder over statutes, and burrow through black letter, in search of an interpretation which Providence has engraved in living letters on every human heart. Yes; if there be one amongst you blessed with a daughter, the smile of whose infancy still cheers your memory, and the promise of whose youth illuminates your hope, who has endeared the toils of your manhood, whom you look up to as the solace of your declining years, whose embrace alleviated the pang of separation, whose glowing welcome hailed your oft anticipated return — oh, if there be one amongst you, to whom those recollections are dear, to whom those hopes are precious—let him only fancy that daughter torn from his caresses by a seducer's arts, and cast upon the world, robbed of her innocence,—and then let him ask his heart, "*what money could reprise him!*"

The defendant, Gentlemen, cannot complain that I put it thus to you. If, in place of seducing,

he had assaulted this poor girl—if he had attempted by force what he has achieved by fraud, his life would have been the forfeit; and yet how trifling in comparison would have been the parent's agony! He has no right, then, to complain, if you should estimate this outrage at the price of his very existence! I am told, indeed, this gentleman entertains an opinion, prevalent enough in the age of a feudalism, as arrogant as it was barbarous, that the poor are only a species of property, to be treated according to interest or caprice; and that wealth is at once a patent for crime, and an exemption from its consequences. Happily for this land, the day of such opinions has passed over it—the eye of a purer feeling and more profound philosophy now beholds riches but as one of the aids to virtue, and sees in oppressed poverty only an additional stimulus to increased protection. A generous heart cannot help feeling, that in cases of this kind the poverty of the injured is a dreadful aggravation. If the rich suffer, they have much to console them; but when a poor man loses the darling of his heart—the sole pleasure with which nature blessed him—how abject, how cureless is the despair of his destitution! Believe me, Gentlemen, you have not only a solemn duty to perform, but you have an awful responsibility imposed upon you. You are this day, in some degree, trustees for the morality of the people—perhaps of the whole nation; for depend upon it, if the sluices of immorality are once opened among the lower orders, the frightful tide, drifting upon its surface all

that is dignified or dear, will soon rise even to the habitations of the highest. I feel, Gentlemen, I have discharged *my* duty — I am sure you will do *your's*. I repose my client with confidence in your hands; and most fervently do I hope, that when evening shall find you at your happy fireside, surrounded by the sacred circle of your children, you may not feel the heavy curse gnawing at your heart, of having let loose, unpunished, the prowler that may devour them.

SPEECH

OF

MR. PHILLIPS

IN

THE CASE OF CREIGHTON *v.* TOWNSEND:

DELIVERED

IN THE COURT OF COMMON PLEAS,

DUBLIN.

My Lord and Gentlemen,

I AM with my learned brethren counsel for the plaintiff. My friend Mr. Curran has told you the nature of the action. It has fallen to my lot to state more at large to you the aggression by which it has been occasioned. Believe me it is with no paltry affectation of under-valuing my very humble powers that I wish he had selected some more experienced, or at least less credulous advocate. I feel I cannot do my duty; I am not fit to address you, I have incapacitated myself; I know not whether any of the calumnies which have so industriously anticipated this trial, have reached

your ears; but I do confess they did so wound and poison mine, that to satisfy my doubts I visited the house of misery and mourning, and the scene which set scepticism at rest, has set description at defiance. Had I not yielded to those interested misrepresentations, I might from my brief have sketched the fact, and from my fancy drawn the consequences; but as it is, reality rushes before my frighted memory, and silences the tongue and mocks the imagination. Believe me, Gentlemen, you are impannelled there upon no ordinary occasion; nominally, indeed, you are to repair a private wrong, and it is a wrong as deadly as human wickedness can inflict—as human weakness can endure; a wrong which annihilates the hope of the parent and the happiness of the child; which in one moment blights the fondest anticipations of the heart, and darkens the social hearth, and worse than depopulates the habitations of the happy! But, Gentlemen, high as it is, this is far from your exclusive duty. You are to do much more. You are to say whether an example of such transcendant turpitude is to stalk forth for public imitation — whether national morals are to have the law for their protection, or *imported* crime is to feed upon impunity — whether chastity and religion are still to be permitted to linger in this province, or it is to become one loathsome den of legalized prostitution — whether the sacred volume of the Gospel, and the venerable statutes of the law are still to be respected, or converted into a pedestal on which the mob and the military

are to erect the idol of a drunken adoration. Gentlemen, these are the questions you are to try; hear the facts on which your decision must be founded.

It is now about five-and-twenty years since the plaintiff, Mr. Creighton, commenced business as a slate merchant in the city of Dublin. His vocation was humble, it is true, but it was nevertheless honest; and though, unlike his opponent, the heights of ambition lay not before him, the path of respectability did — he approved himself a good man and a respectable citizen. Arrived at the age of manhood, *he* sought not the gratification of its natural desires by adultery or seduction. For *him* the home of honesty was sacred; for *him* the poor man's child was unassailed; no domestic desolation mourned *his* enjoyment; no anniversary of woe commemorated *his* achievements; from his own sphere of life naturally and honourably he selected a companion, whose beauty blessed his bed, and whose virtues consecrated his dwelling. Eleven lovely children blessed their union, the darlings of their heart, the delight of their evenings, and as they blindly anticipated, the prop and solace of their approaching age. Oh! SACRED WEDDED LOVE! how dear! how delightful! how divine are thy enjoyments! Contentment crowns thy board, affection glads thy fireside; passion, chaste but ardent, modest but intense, sighs o'er thy couch, the atmosphere of paradise! Surely, surely, if this consecrated right can acquire from circumstances a factitious interest, 'tis when we see it cheering the

poor man's home, or shedding over the dwelling of misfortune the light of its warm and lovely consolation. Unhappily, Gentlemen, it has that interest here. That capricious power which often dignifies the worthless hypocrite, as often wounds the industrious and the honest. The late ruinous contest, having in its career confounded all the proportions of society, and with its last gasp sighed famine and misfortune on the world, has cast my industrious client, with too many of his companions, from competence to penury. Alas, alas, to him it left worse of its satellites behind it; it left the invader even of his misery — the seducer of his sacred and unspotted innocent. Mysterious Providence! was it not enough that sorrow robed the happy home in mourning — was it not enough that disappointment preyed upon its loveliest prospects — was it not enough that its little inmates cried in vain for bread, and heard no answer but the poor father's sigh, and drank no sustenance but the wretched mother's tears? Was this a time for passion, lawless, conscienceless, licentious passion, with its eye of lust, its heart of stone, its hand of rapine, to rush into the mournful sanctuary of misfortune, casting crime into the cup of woe, and rob the parents of their last wealth, their child, and rob the child of her only charm, her innocence!! That this has been done I am instructed we shall prove: what requital it deserves, Gentlemen, you must prove to mankind.

The defendant's name I understand is TOWNSEND. He is of an age when every generous blossom of

the spring should breathe an infant freshness round his heart; of a family which should inspire not only high but hereditary principles of honour; of a profession whose very essence is a stainless chivalry, and whose *bought* and bounden duty is the protection of the citizen. Such are the advantages with which he appears before you — fearful advantages, because they repel all possible suspicion; but you will agree with me, most damning adversaries, if it shall appear that the generous ardour of his youth was chilled — that the noble inspiration of his birth was spurned — that the lofty impulse of his profession was despised — and that all that could grace, or animate, or ennoble, was used to his own discredit and his fellow-creature's misery.

It was upon the first of June last, that on the banks of the canal, near Portobello, Lieutenant Townsend first met the daughter of Mr. Creighton, a pretty, interesting girl, scarcely sixteen years of age. She was accompanied by her little sister, only four years old, with whom she was permitted to take a daily walk in that retired spot, the vicinity of her residence. The defendant was attracted by her appearance — he left his party, and attempted to converse with her; she repelled his advances — he immediately seized her infant sister by the hand, whom he held as a kind of *hostage* for an introduction to his victim. A prepossessing appearance, a modesty of deportment apparently quite incompatible with any evil design, gradually silenced her alarm, and she answered the common-place ques-

tions with which, on her way home, he addressed her. Gentlemen, I admit it was an innocent imprudence; the rigid rules of matured morality should have repelled such communication; yet, perhaps, judging even by that strict standard, you will rather condemn the familiarity of the intrusion in a designing adult than the facility of access in a creature of her age and her innocence. They thus separated, as she naturally supposed, to meet no more. Not such, however, was the determination of her destroyer. From that hour until her ruin, he scarcely ever lost sight of her — he followed her as a shadow — he way-laid her in her walks — he interrupted her in her avocations — he haunted the street of her residence; if she refused to meet him, he paraded before her window at the hazard of exposing her first comparatively innocent imprudence to her unconscious parents. How happy would it have been had she conquered the timidity, so natural to her age, and appealed at once to their pardon and their protection! Gentlemen, this daily persecution continued for *three months*—for three successive months, by every art, by every persuasion, by every appeal to her vanity and her passions, did he toil for the destruction of this unfortunate young creature. I leave you to guess how many during that interval might have yielded to the blandishments of manner, the fascinations of youth, the rarely resisted temptations of opportunity. For three long months she did resist them. She would have resisted them for ever but for an expedient which is without a model — but for an

exploit which I trust in God will be without an imitation.' Oh yes, he might have returned to his country, and did he but reflect, he would rather have rejoiced at the virtuous triumph of his victim, than mourned his own *soul-redeeming* defeat; he might have returned to his country, and told the cold-blooded libellers of this land that their speculations upon Irish chastity were prejudiced and proofless; that *in the wreck of all else* we had retained our honour; that though the national luminary had descended for a season, the streaks of its loveliness still lingered on our horizon; that the nurse of that genius which abroad had redeemed the name, and dignified the nature of man, was to be found at home in the spirit without a stain, and the purity without a suspicion. He might have told them truly that this did not result, as they would intimate, from the absence of passion or the want of civilisation; that it was the combined consequence of education, of example, and of impulse; and that, though in all the revelry of enjoyment, the fair floweret of the Irish soil exhaled its fragrance and expanded its charms in the chaste and blessed beams of a virtuous affection, still it shrunk with an instinctive sensitiveness from the gross pollution of an unconsecrated contact!

Gentlemen, the common artifices of the seducer failed; the syren tones with which sensuality awakens appetite and lulls purity had wasted themselves in air, and the intended victim, deaf to their fascination, moved along safe and untrans-

formed. He soon saw, that young as she was, the vulgar expedients of vice were ineffectual; that the attractions of a glittering exterior failed; and that before she could be tempted to her sensual damnation, his tongue must learn, if not the words of wisdom, at least the speciousness of affected purity. He pretended an affection as virtuous as it was violent; he called God to witness the sincerity of his declarations; by all the vows which should for ever rivet the honourable, and could not fail to convince even the incredulous, he promised her marriage; over and over again he invoked the eternal denunciation if he was perfidious. To her acknowledged want of fortune, his constant reply was, that he had an independence; that all he wanted was beauty and virtue; that he saw she had the one, that had proved she had the other. When she pleaded the obvious disparity of her birth, he answered that he was himself only the son of an English farmer; that happiness was not the monopoly of rank or riches; that his parents would receive her as the child of their adoption; that he would cherish her as the charm of his existence. Specious as it was, even this did not succeed; she determined to await its avowal to those who had given her life, and who hoped to have made it immaculate by the education they had bestowed and the example they had afforded. Some days after this he met her in her walks, for she could not pass her parental threshold without being intercepted. He asked where she was going—she said, a friend knowing her fondness for books had promised her

the loan of some, and she was going to receive them. He told her he had abundance, that they were just at his home, that he hoped after what had passed she would feel no impropriety in accepting them. She was persuaded to accompany him. Arrived, however, at the door of his lodgings, she positively refused to go any farther; all his former artifices were redoubled; he called God to witness he considered her as his wife, and her character as dear to him as that of one of his sisters; he affected mortification at any suspicion of his purity; he told her if she refused her confidence to his honourable affection, the little infant who accompanied her was an inviolable guarantee for her protection.

Gentlemen, this wretched child did suffer her credulity to repose on his professions. Her theory taught her to respect the honour of a soldier; her love repelled the imputation that debased its object; and her youthful innocence rendered her as incredulous as she was unconscious of criminality. At first his behaviour corresponded with his professions; he welcomed her to the home of which he hoped she would soon become the inseparable companion; he painted the future joys of their domestic felicity, and dwelt with peculiar complacency on some heraldic ornament which hung over his chimney-piece, and which, he said, was the armorial ensign of his family! Oh! my Lord, how well would it have been had he but retraced the fountain of that document; had he recalled to mind the virtues it rewarded, the pure train of honours it associated, the line of spotless an-

cestry it distinguished, the high ambition its bequest inspired, the moral imitation it imperatively commanded! But when guilt once kindles within the human heart, all that is noble in our nature becomes parched and arid; the blush of modesty fades before its glare, the sighs of virtue fan its lurid flame, and every divine essence of our being but swells and exasperates its infernal conflagration.

Gentlemen, I will not disgust this audience; I will not debase myself by any description of the scene that followed; I will not detail the arts, the excitements, the promises, the pledges with which deliberate lust inflamed the passions, and finally overpowered the struggles of innocence and of youth. It is too much to know that tears could not appease—that misery could not affect—that the presence and the prayers of an infant could not awe him; and that the wretched victim, between the ardour of passion and the repose of love, sunk at at length, inflamed, exhausted, and confiding, beneath the heartless grasp of an unsympathising sensuality.

The appetite of the hour thus satiated, at a temperal, perhaps an eternal hazard, he dismissed the sisters to their unconscious parents, not, however, without extorting a promise, that on the ensuing night Miss Creighton would desert her home for ever for the arms of a fond, affectionate, and faithful husband. Faithful, alas! but only to his appetites, he did seduce her from that "sacred home," to deeper guilt, to more deliberate cruelty.

After a suspense comparatively happy, her parents became acquainted with her irrevocable ruin. The miserable mother, supported by the mere strength of desperation, rushed half phrenzied to the castle, where Mr. Townsend was on duty. "Give me back my child!" was all she could articulate. The parental ruin struck the spoiler almost speechless. The few dreadful words, "*I have your child,*" withered her heart up with the horrid joy that death denied its mercy, that her daughter lived, but lived, alas, to infamy. She could neither speak nor hear; she sunk down convulsed and powerless. As soon as she could recover to any thing of effort, naturally did she turn to the residence of Mr. Townsend; his orders had anticipated her —the sentinel refused her entrance. She told her sad narration, she implored his pity; with the eloquence of grief she asked him, had *he home*, or *wife*, or *children*. "Oh, Holy Nature! thou didst not plead in vain!" even the rude soldier's heart relented. He admitted her by stealth, and she once more held within her arms the darling hope of many an anxious hour; duped, desolate, degraded it was true—but still—but still "*her child.*" Gentlemen, if the parental heart cannot suppose what followed, how little adequate am I to paint it. Home this wretched creature could not return; a seducer's mandate and a father's anger equally forbade it. But she gave whatever consolation she was capable; she told the fatal tale of her undoing—the hopes, the promises, the studied specious arts that had seduced her; and with a desperate credulity

still watched the light that, glimmering in the distant vista of her love, mocked her with hope, and was to leave her to the tempest. To all the prophecies of maternal anguish she would still reply, "Oh, no—in the eye of Heaven he is my husband; he took me from my home, my happiness and you, but still he pledged to me a soldier's honour—but he assured me with a Christian's conscience; for three long months I heard his vows of love; he is honourable and will not deceive; he is human and cannot desert me." Hear, Gentlemen, hear, I beseech you, how this innocent confidence was returned. When her indignant father had resorted to Lord Forbes, the commander of the forces, and to the noble and learned head of this Court, both of whom received him with a sympathy that did them honour, Mr. Townsend sent a brother officer to inform her she must quit his residence and take lodgings. In vain she remonstrated, in vain she reminded him of her former purity, and of the promises that betrayed it. She was literally turned out *at nightfall* to find whatever refuge the God of the shelterless might provide for her. Deserted and disowned, how naturally did she turn to the once happy home, whose inmates she had disgraced, and whose protection she had forfeited! how naturally did she think the once familiar and once welcome avenues looked frowning as she passed! how naturally did she linger like a reposeless spectre round the memorials of her living happiness! Her heart failed her: where a parent's smile had ever cheered her, she could not face the glance of shame, or

sorrow, or disdain. She returned to seek her seducer's pity even till the morning. Good God! how can I disclose it!—the very guard had orders to refuse her access; even by the rabble soldiery she was cast into the street, amid the night's dark horrors, the victim of her own credulity, the outcast of another's crime, to seal her guilty woes with suicide, or lead a living death amid the tainted sepulchres of a promiscuous prostitution! Far, far am I from sorry that it was so. Horrible beyond thought as is this aggravation, I only hear in it the voice of the Deity in thunder upon the crime. Yes, yes; it is the present God arming the vicious agent against the vice, and terrifying from its conception by the turpitude to which it may lead. But what aggravation does seduction need! Vice is its essence, lust its end, hypocrisy its instrument, and innocence its victim. Must I detail its miseries? Who depopulates the home of virtue, making the child an orphan, and the parent childless? Who wrests its crutch from the tottering helplessness of piteous age? Who wrings its happiness from the heart of youth? Who shocks the vision of the public eye? Who infects your very thoroughfares with disease, disgust, obscenity, and profaneness? Who pollutes the harmless scenes where modesty resorts for mirth, and toil for recreation, with sights that stain the pure and shock the sensitive? Are these the phrases of an interested advocacy? Is there one amongst you but has witnessed their verification? Is there one amongst you so fortunate, or so secluded, as not to have

wept over the wreck of health, and youth, and loveliness, and talent, the fatal trophies of the seducer's triumph—some form, perhaps, where every grace was squandered, and every beauty paused to waste its bloom, and every beam of mind and tone of melody poured their profusion on the public wonder; all that a parent's prayer could ask, or lover's adoration fancy; in whom even pollution looked so lovely, that virtue would have made her more than human? Is there an epithet too vile for such a spoiler? Is there a punishment too severe for such depravity? I know not upon what complaisance this English seducer may calculate from a jury of this country; I know not, indeed, whether he may not think he does your wives and daughters some honour by their contamination. But I know well what reception he would experience from a jury of his own country. I know that in such general execration do they view this crime, they think no possible plea a palliation; no, not the mature age of the seduced; not her previously protracted absence from her parents; not a levity approaching almost to absolute guilt; not an indiscretion in the mother, that bore every colour of connivance: and in this opinion they have been supported by all the venerable authorities with whom age, integrity, and learning have adorned the judgment-seat.

Gentlemen, I come armed with these authorities. In the case of Tullidge against Wade, my Lord, it appeared the person seduced was thirty years of age, and long before absent from her home; yet,

on a motion to set aside the verdict for excessive damages, what was the language of Chief Justice Wilmot? "I regret," said he, "that they were not greater; though the plaintiff's loss did not amount to twenty shillings, the jury were right in giving ample damages, because such actions should be encouraged for example's sake." Justice Clive wished they had given twice the sum, and in this opinion the whole Bench concurred. *There* was a case where the girl was of mature age, and living apart from her parents: *here*, the victim is almost a child, and was never for a moment separated from her home. Again, in the case of "Bennet against Alcot," on a similar motion, grounded on the apparently overwhelming fact, that the mother of the girl had actually sent the defendant into her daughter's bed-chamber, where the criminality occurred, Justice Buller declared, "he thought the parent's indiscretion no excuse for the defendant's culpability;" and the verdict of 200*l.* damages was confirmed. *There* was a case of literal connivance: *here*, will they have the hardihood to hint even its suspicion? You all must remember, Gentlemen, the case of our own countryman, Captain Gore, against whom, only the other day, an English jury gave a verdict of 1,500*l.* damages, though it was proved that the person alleged to have been seduced was herself the seducer, going even so far as to throw gravel up at the windows of the defendant; yet Lord Ellenborough refused to disturb the verdict. Thus you may see I rest not on my own proofless and unsupported dictum. I rely

upon grave decisions and venerable authorities—not only on the indignant denunciation of the moment, but on the deliberate concurrence of the enlightened and the dispassionate. I see my learned opponent smile. I tell him I would not care if the books were an absolute blank upon the subject. I would then make the *human heart* my authority; I would appeal to the bosom of every man who hears me, whether such a crime should grow unpunished into a precedent; whether innocence should be made the subject of a brutal speculation; whether the sacred seal of filial obedience, upon which the Almighty Parent has affixed his eternal fiat, should be violated by a blasphemous and selfish libertinism!

Gentlemen, if the cases I have quoted, palliated as they were, have been humanely marked by ample damages, what should you give here where there is nothing to excuse—where there is every thing to aggravate! The seduction was deliberate, it was three months in progress, its victim was almost a child, it was committed under the most alluring promises, it was followed by a deed of the most dreadful cruelty; but, above all, it was the act of a man commissioned by his own country, and paid by this, for the enforcement of the laws and the preservation of society. No man more respects than I do the well-earned reputation of the British army;

> "It is a school
> Where every principle tending to honour
> Is taught *if followed*."

But in the name of that distinguished army, I here solemnly appeal against an act, which would blight its greenest laurels, and lay its trophies prostrate in the dust. Let them war, but be it not on domestic happiness; let them invade, but be their country's earths inviolable; let them achieve a triumph wherever their banners fly, but be it not over morals, innocence, and virtue. I know not by what palliation the defendant means to mitigate this enormity;—will he plead her youth? it should have been her protection;—will he plead her levity? I deny the fact; but even were it true, what is it to him? what right has any man to speculate on the temperature of your wives and your daughters, that he may defile your bed, or desolate your habitation? Will he plead poverty? I never knew a seducer or an adulterer that did not. He should have considered that before. But is poverty an excuse for crime? Our law says, he who has not a purse to pay for it, must suffer for it in his person. It is a most wise declaration; and for my part, I never hear such a person plead poverty, that my first emotion is not a thanksgiving, that Providence has denied, at least, the instrumentality of wealth to the accomplishment of his purposes. Gentlemen, I see you agree with me. I wave the topic; and I again tell you, that if what I know will be his chief defence were true, it should avail him nothing. He had no right to speculate on this wretched creature's levity to ruin *her*, and still less to ruin *her family*. Remember, however, Gentlemen, that even had this wretched child been indiscreet, it is not in *her* name we ask for

reparation; no, it is in the name of the parents her seducer has heart-broken; it is in the name of the poor helpless family he has desolated; it is in the name of that misery, whose sanctuary he has violated; it is in the name of law, virtue and morality; it is in the name of that country whose fair fame foreign envy will make responsible for this crime; it is in the name of nature's dearest, tenderest sympathies; it is in the name of all that gives your toil an object, and your ease a charm, and your age a hope — I ask from you the value *of the poor man's child.*

SPEECH

IN

THE CASE OF BLAKE v. WILKINS:

DELIVERED

IN THE COUNTY COURT-HOUSE,

GALWAY.

May it please Your Lordship,

THE Plaintiff's Counsel tell me, Gentlemen, most unexpectedly, that they have closed his case, and it becomes my duty to state to you that of the Defendant. The nature of this action you have already heard. It is one which, in my mind, ought to be very seldom brought, and very sparingly encouraged. It is founded on circumstances of the most extreme delicacy, and it is intended to visit with penal consequences the non-observance of an engagement, which is of the most paramount importance to society, and which of all others, perhaps, ought to be the most unbiassed,—an engagement which, if it be voluntary, judicious, and disinterested, generally produces the happiest effects; but which, if it be either unsuitable or compulsory, engenders not only individual misery, but consequences universally pernicious. There are few contracts between

human beings which should be more deliberate than that of marriage. I admit it should be very cautiously promised, but, even when promised, I am far from conceding that it should invariably be performed; a thousand circumstances may form an impediment, change of fortune may render it imprudent, change of affection may make it culpable. The very party to whom the law gives the privilege of complaint has perhaps the most reason to be grateful,—grateful that its happiness has not been surrendered to caprice, grateful that Religion has not constrained an unwilling acquiescence, or made an unavoidable desertion doubly criminal, grateful that an offspring has not been sacrificed to the indelicate and ungenerous enforcement, grateful that an innocent secret disinclination did not too late evince itself in an irresistible and irremediable disgust. You will agree with me, however, that if there exists any excuse for such an action, it is on the side of the female, because every female object being more exclusively domestic, such a disappointment is more severe in its visitation; because the very circumstance concentrating their feelings renders them naturally more sensitive of a wound; because their best treasure, their reputation, may have suffered from the intercourse; because their chances of reparation are less, and their habitual seclusion makes them feel it more; because there is something in the desertion of their helplessness which almost immerges the illegality in the unmanliness of the abandonment. However, if a man seeks to enforce this engagement, every one feels some indelicacy attached to

the requisition. I do not enquire into the comparative justness of the reasoning, but does not every one feel that there appears some meanness in forcing a female into an alliance? Is it not almost saying, "I will expose to public shame the credulity on which I practised, or you must pay to me in monies numbered, the profits of that heartless speculation; I have gambled with your affections, I have secured your bond, I will extort the penalty either from your purse or your reputation!" I put a case to you where the circumstances are reciprocal, where age, fortune, situation, are the same, where there is no disparity of years to make the supposition ludicrous, where there is no disparity of fortune to render it suspicious. Let us see whether the present action can be so palliated, or whether it does not exhibit a picture of fraud and avarice, and meanness and hypocrisy, so laughable, that it is almost impossible to criticise it, and yet so debasing, that human pride almost forbids its ridicule.

It has been left to me to defend my unfortunate old client from the double battery of Love and of Law, which at the age of sixty-five has so unexpectedly opened on her. Oh, Gentlemen, how vain-glorious is the boast of beauty! How misapprehended have been the charms of youth, if years and wrinkles can thus despoil their conquests, and depopulate the navy of its prowess, and beguile the bar of its eloquence! How mistaken were all the amatory poets from Anacreon downwards, who preferred the bloom of the rose and the thrill of

the nightingale, to the saffron hide and dulcet treble of sixty-five.! Even our own sweet bard has had the folly to declare, that

> "He once had heard tell of an amorous youth
> Who was caught in his grandmother's bed;
> But owns he had ne'er such a liquorish tooth,
> As to wish to be there in his stead."

Royal wisdom has said, that we live in a "NEW ÆRA." *The reign of old women has commenced*, and if Johanna Southcote converts England to her creed, why should not Ireland, less pious perhaps, but at least equally passionate, kneel before the shrine of the irresistible WIDOW WILKINS. It appears, Gentlemen, to have been her happy fate to have subdued particularly the death-dealing professions. Indeed, in the love-episodes of the heathen mythology, Mars and Venus were considered as inseparable. I know not whether any of you have ever seen a very beautiful print representing the fatal glory of Quebec, and the last moments of its immortal conqueror — if so, you must have observed the figure of the Staff physician, in whose arms the hero is expiring — that identical personage, my Lord, was the happy swain, who, forty or fifty years ago, received the reward of his valour and his skill *in the virgin hand of my venerable client!* The Doctor lived something *more than a century*, during a great part of which Mrs. Wilkins was his companion — alas, Gentlemen, long as he lived, he lived not long enough to behold her beauty —

> "That beauty, like the Aloe flower,
> But bloom'd and blossom'd at fourscore."

He was, however, so far fascinated as to bequeath to her the legacies of his patients, when he found he was predoomed to follow them. To this circumstance, very far be it from me to hint, that Mrs. W. is indebted for any of her attractions. Rich, however, she undoubtedly was, and rich she would still as undoubtedly have continued, had it not been for her intercourse with the family of the Plaintiff. I do not impute it as a crime to them that they happened to be necessitous, but I do impute it as both criminal and ungrateful, that after having lived on the generosity of their friend, after having literally exhausted her most prodigal liberality, they should drag her infirmities before the public gaze, vainly supposing that they could hide their own contemptible avarice in the more prominent exposure of her melancholy dotage. The father of the Plaintiff, it cannot be unknown to you, was for many years in the most indigent situation. Perhaps it is not a matter of concealment either, that he found in Mrs. Wilkins a generous benefactress. She assisted and supported him, until at last his increasing necessities reduced him to take refuge in an act of insolvency. During their intimacy, frequent allusion was made to a son whom Mrs. Wilkins had never seen since he was a child, and who had risen to a lieutenancy in the navy, under the patronage of their relative, Sir BENJAMIN BLOOMFIELD. In a parent's panegyric, the gallant lieutenant was of course all that even hope could picture. Young, gay, heroic, and disinterested, the pride of the navy, the prop of the country,

independent as the gale that wafted, and bounteous as the wave that bore him. I am afraid that it is rather an anti-climax to tell you after this, that he is the present Plaintiff. The eloquence of Mrs. Blake was not exclusively confined to her encomiums on the lieutenant. She diverged at times into an episode on the matrimonial felicities, painted the joy of passion and delights of love, and obscurely hinted that Hymen, with his torch, had an exact personification in her son Peter bearing a match-light in His Majesty's ship the Hydra!—While these contrivances were practising on Mrs. Wilkins, a bye-plot was got up on board the Hydra, and Mr. Blake returned to his mourning country, influenced, as he says, by his partiality for the Defendant, but in reality compelled by ill health and disappointments, added, perhaps, to his mother's very absurd and avaricious speculations. What a loss the navy had of him, and what a loss he had of the navy! Alas, Gentlemen, he could not resist his affection for a female he never saw. Almighty love eclipsed the glories of ambition—Trafalgar and St. Vincent flitted from his memory—he gave up all for woman, as Mark Antony did before him, and, like the Cupid in Hudibras, he

> "————took his stand
> Upon a Widow's jointure land—
> His tender sigh and trickling tear
> Long'd for five hundred pounds a year:
> And languishing desires were fond
> Of Statute, Mortgage, Bill, and Bond!"

—Oh, Gentlemen, only imagine him on the lakes of North America! Alike to him the varieties of season or the vicissitudes of warfare. One sovereign image monopolises his sensibilities. Does the storm rage? the Widow Wilkins outsighs the whirlwind. Is the Ocean calm? its mirror shows him the lovely Widow Wilkins. Is the battle won? he thins his laurel that the Widow Wilkins may interweave her myrtles. Does the broadside thunder? he invokes the Widow Wilkins!

> " *A sweet little Cherub* she sits up aloft
> To keep watch for the life of poor Peter!'

—Alas, how much he is to be pitied! How amply he should be recompensed! Who but must mourn his sublime, disinterested, sweet-souled patriotism! Who but must sympathise with his pure, ardent, generous affection!—affection too confiding *to require an interview!*—affection too warm *to wait even for an introduction!* Indeed, his Amanda herself seemed to think his love was most desirable at a distance, for at the very first visit after his return he was refused admittance. His captivating charmer was then sick and nurse-tended at her brother's house, after a winter's confinement, reflecting, most likely, rather on her funeral than her wedding. Mrs. Blake's avarice instantly took the alarm, and she wrote the letter, which I shall now proceed to read to you.

[Mr. VANDELEUR.—My Lord, unwilling as I am to interrupt a statement which seems to create so universal a sensation, still I hope Your Lordship

will restrain Mr. Phillips from reading a letter which cannot hereafter be read in evidence.

Mr. O'Connell rose for the purpose of supporting the propriety of the course pursued by the Defendant's Counsel, when]

Mr. Phillips resumed—My Lord, although it is utterly impossible for the Learned Gentleman to say, in what manner hereafter this letter might be made evidence, still my case is too strong to require any cavilling upon such trifles. I am content to save the public time and wave the perusal of the letter. However, they have now given its suppression an importance which perhaps its production could not have procured for it. You see, Gentlemen, what a case they have when they insist on the withholding of the documents which originated with themselves. I accede to their very politic interference. I grant them, since they entreat it, the *mercy of my silence*. Certain it is, however, that a letter was received from Mrs. Blake; and that almost immediately after its receipt, Miss Blake intruded herself at Brownville, where Mrs. Wilkins was—remained two days—lamented bitterly her not having appeared to the lieutenant, when he called to visit her—said that her poor mother had set her heart on an alliance—that she was sure, *dear woman*, a disappointment would be the death of her; in short, that there was no alternative but the tomb or the altar! To all this Mrs. Wilkins only replied, how totally ignorant the parties most interested were of each other, and that were she even inclined to connect herself with

a stranger (poor old fool!) the debts in which her generosity to the family had already involved her, formed, at least for the present, an insurmountable impediment. This was not sufficient. In less than a week, the indefatigable Miss Blake returned to the charge, actually armed with an old family-bond to pay off the incumbrances, and a renewed representation of the mother's suspense and the brother's desperation. You will not fail to observe, Gentlemen, that while the female conspirators were thus at work, the lover himself *had never even seen the object of his idolatry*. Like the maniac in the farce, he fell in love with the picture of his grandmother. Like a prince of the blood, he was willing to woo and to be wedded *by proxy*. For the gratification of his avarice, he was contented to embrace age, disease, infirmity, and widowhood—to bind his youthful passions to the carcase for which the grave was opening — to feed by anticipation on the uncold corpse, and cheat the worm of its reversionary corruption. Educated in a profession proverbially generous, he offered to barter every joy for money! Born in a country ardent to a fault, he advertised his happiness to the highest bidder! and he now solicits an honourable jury to become the panders to this heartless cupidity! Thus beset, harassed, conspired against, their miserable victim entered into the contract you have heard — a contract conceived in meanness, extorted by fraud, and sought to be enforced by the most profligate conspiracy. Trace it through every stage of its progress, in its origin, its means, its effects — from the parent contriving it through the sacrifice

of her son, and forwarding it through the indelicate instrumentality of her daughter, down to the son himself unblushingly acceding to the atrocious combination by which age was to be betrayed and youth degraded, and the odious union of decrepit lust and precocious avarice blasphemously consecrated by the solemnities of Religion! Is this the example which as parents you would sanction? Is this the principle you would adopt yourselves? Have you never witnessed the misery of an unmatched marriage? Have you never worshipped the bliss by which it has been hallowed, when its torch, kindled at affection's altar, gives the noon of life its warmth and its lustre, and blesses its evening with a more chastened, but not less lovely illumination? Are you prepared to say, that this rite of heaven, revered by each country, cherished by each sex, the solemnity of every Church and the SACRAMENT of one, shall be profaned into the ceremonial of an obscene and soul-degrading avarice!

No sooner was this contract, the device of their covetousness and the evidence of their shame, swindled from the wretched object of this conspiracy, than its motive became apparent; they avowed themselves the keepers of their melancholy victim; they watched her movements; they dictated her actions; they forbade all intercourse with her own brother; they duped her into accepting bills, and let her be arrested for the amount. They exercised the most cruel and capricious tyranny upon her, now menacing her with the publication of her follies, and now with the still more horrible enforce-

ment of a contract that thus betrayed its anticipated inflictions! Can you imagine a more disgusting exhibition of how weak and how worthless human nature may be, than this scene exposes? On the one hand, a combination of sex and age, disregarding the most sacred obligations, and trampling on the most tender ties, from a mean greediness of lucre, that neither honour or gratitude or nature could appease, "*Lucri bonus est odor exrequalibet.*" On the other hand, the poor shrivelled relic, of what once was health, and youth, and animation, sought to be embraced in its infection, and caressed in its infirmity—crawled over and corrupted by the human reptiles, before death had shovelled it to the less odious and more natural vermin of the grave!! What an object for the speculations of avarice! What an angel for the idolatry of youth! Gentlemen, when this miserable dupe to her own doting vanity and the vice of others, saw how she was treated—when she found herself controlled by the mother, beset by the daughter, beggared by the father, and held by the son as a kind of windfall, that, too rotten to keep its hold, had fallen at his feet to be squeezed and trampled; when she saw the intercourse of her relatives prohibited, the most trifling remembrances of her ancient friendship denied, the very exercise of her habitual charity denounced; when she saw that all she was worth was to be surrendered to a family confiscation, and that she was herself to be *gibbetted in the chains of wedlock*; an example to every superannuated dotard, upon whose plunder the ravens of the world might

calculate, she came to the wisest determination of her life, and decided that her fortune should remain at her own disposal. Acting upon this decision, she wrote to Mr. Blake, complaining of the cruelty with which she had been treated, desiring the restoration of the contract of which she had been duped, and declaring, as the only means of securing respect, her final determination as to the control over her property. To this letter, addressed to the son, a verbal answer (mark the conspiracy) was returned from the mother, withholding all consent, unless the property was settled on her family, but withholding the contract at the same time. The wretched old woman could not sustain this conflict. She was taken seriously ill, confined for many months in her brother's house, from whom she was so cruelly sought to be separated, until the debts in which she was involved and a recommended change of scene transferred her to Dublin. There she was received with the utmost kindness by her relative, Mr. Mac Namara, to whom she confided the delicacy and distress of her situation. That gentleman, acting at once as her agent and her friend, instantly repaired to Galway, where he had an interview with Mr. Blake. This was long before the commencement of any action. A conversation took place between them on the subject, which must, in my mind, set the present action at rest altogether; because it must show that the non-performance of the contract originated entirely with the plaintiff himself. Mr. Mac Namara enquired, whether it was not true, that Mr. Blake's own family declined any connexion,

unless Mrs. Wilkins consented to settle on them the entire of her property? Mr. Blake replied it was. Mr. Mac Namara rejoined, that her contract did not bind her to any such extent. "No," replied Mr. Blake, "I know it does not; however, tell Mrs. Wilkins that I understand she has about 580*l.* a year, *and I will be content to settle the odd* 80*l. on her by way of pocket money.*" Here, of course, the conversation ended, which Mr. Mac Namara detailed, as he was desired, to Mrs. Wilkins, who rejected it with the disdain, which, I hope, it will excite in every honourable mind. A topic, however, arose during the interview, which unfolds the motives and illustrates the mind of Mr. Blake more than any observation which I can make on it. As one of the inducements to the projected marriage, he actually proposed the prospect of a 50*l.* annuity as an officer's widow's pension, to which she would be entitled in the event of his decease! I will not stop to remark on the delicacy of this inducement— I will not dwell on the ridicule of the anticipation— I will not advert to the glaring dotage on which he speculated, when he could seriously hold out to a woman of her years the prospect of such an improbable survivorship. But I do ask you, of what materials must the man be composed who could thus debase the national liberality! What! was the recompense of that lofty heroism which has almost appropriated to the British navy the monopoly of maritime renown — was that grateful offering which a weeping country pours into the lap of its patriot's widow, and into the cradle of its warrior's

orphan—was that generous consolation with which a nation's gratitude cheers the last moments of her dying hero, by the portraiture of his children sustained and ennobled by the legacy of his achievements, to be thus deliberately perverted into the bribe of a base, reluctant, unnatural prostitution! Oh! I know of nothing to parallel the self-abasement of such a deed, except the audacity that requires an honourable jury to abet it. The following letter from Mr. Anthony Martin, Mr. Blake's attorney, unfolded the future plans of this unfeeling conspiracy. Perhaps the Gentlemen would wish also to cushion this document? They do not. Then I shall read it. The Letter is addressed to Mrs. Wilkins.

"MADAM, "*Galway, Jan* 9. 1817.

"I have been applied to professionally by Lieutenant Peter Blake to take proceedings against you on rather *an unpleasant occasion*; but, from every letter of your's, and other documents, together with the material and irreparable loss Mr. Blake has sustained in his professional prospects, by means of *your proposals to him*, makes it indispensably necessary for him to get remuneration from you. Under these circumstances, I am obliged to say, that I have his directions to take immediate proceedings against you, unless he is in some measure compensated for your breach of contract and promise to him. I should feel happy that you would save me the necessity of acting professionally by *settling* the business [You see, Gentlemen, money, money,

money, runs through the whole amour], and not suffer it to come to a public investigation, particularly, as I conceive from the legal advice Mr. Blake has got, together with all I have seen, it will ultimately terminate most *honourably* to his advantage, and to your *pecuniary* loss.

"I have the honour to remain,

"Madam,

"Your very humble Servant,

"ANTHONY MARTIN."

Indeed, I think Mr. Anthony Martin is mistaken. Indeed, I think no twelve men upon their oaths will say (even admitting the truth of all he asserts) that it was *honourable* for a British officer to abandon the navy on such a speculation — to desert so noble a profession — to forfeit the ambition it ought to have associated — the rank to which it leads — the glory it may confer, for the purpose of extorting from an old woman he never saw the purchase-money of his degradation! But I rescue the Plaintiff from this disgraceful imputation. I cannot believe that a member of a profession not less remarkable for the valour than the generosity of its spirit — a profession as proverbial for its profusion in the harbour as for the prodigality of its life-blood on the wave — a profession ever willing to fling money to the winds, and only anxious that they should waft through the world its immortal banner *crimsoned with the record of a thousand victories!* No, no, Gentlemen; notwithstanding the great authority of Mr. Anthony Martin, I cannot

readily believe that any man could be found to make the high honour of this noble service a base, mercenary, sullied pander to the prostitution of his youth! The fact is, that increasing ill health, and the improbability of promotion, combined to induce his retirement on half-pay. You will find this confirmed by the date of his resignation, which was immediately after the battle of Waterloo, which settled (no matter how) the destinies of Europe. His constitution was declining, his advancement was annihilated, and, as a forlorn hope, he bombarded the Widow Wilkins!

"War thoughts had left their places vacant;
In their room came, thronging, soft and amorous desires;
All telling him how fair — Young Hero was."

He first, Gentlemen, attacked her fortune *with herself*, through the artillery of the Church, and having failed in that, he now attacks her fortune *without herself*, through the assistance of the law. However, if I am instructed rightly, he has nobody but himself to blame for his disappointment. Observe, I do not vouch for the authenticity of this fact; but I do certainly assure you, that Mrs. Wilkins was persuaded of it. You know the proverbial frailty of our nature. The gallant Lieutenant was not free from it! Perhaps you imagine that some younger, or, according to his taste, some *older* fair one, weaned him from the widow. Indeed they did not. He had no heart to lose, and yet (can you solve the paradox?) his infirmity was love. As the Poet says—

"Love — still — Love."

No, it was not to VENUS, it was to BACCHUS, he sacrificed. With an eastern idolatry he commenced at day-light, and so persevering was his piety till the shades of night, that when he was not on his knees, *he could scarcely be said to be on his legs!* When I came to this passage, I could not avoid involuntarily exclaiming, Oh, Peter, Peter, whether it be in liquor or in love—

"None but thyself can be thy parallel!"—

I see by your smiling, Gentlemen, that you correct my error. I perceive your *classic* memories recurring to, perhaps, the only prototype to be found in history. I beg his pardon. I should not have overlooked

"——— the immortal Captain Wattle,
Who was *all* for love and—*a little for the bottle.*"

Ardent as our fair ones have been announced to be, they do not prefer a flame that is so exclusively *spiritual.* Widow Wilkins, no doubt, did not choose to be singular. In the words of the bard, and, my Lord, I perceive you excuse my dwelling so much on the authority of the muses, because really on this occasion the minstrel seems to have combined the powers of poetry with the spirit of prophecy—in the very words of the Bard,

"He asked her, would she marry him—Widow Wilkins answer'd, No—
Then said he, I'll to the Ocean rock, I'm ready for the slaughter,
Oh!—I'll shoot at my sad image, as its sighing in the water—
Only think of Widow Wilkins, saying—Go—Peter—Go!"—

But, Gentlemen, let us try to be serious, and seriously give me leave to ask you, on what grounds does he solicit your verdict? Is it for the loss of his profession? Does he deserve compensation if he abandoned it for such a purpose—if he deserted at once his duty and his country to trepan the weakness of a wealthy dotard? But did he (base as the pretence is), did he do so? Is there nothing to cast any suspicion on the pretext? nothing in the aspect of public affairs? in the universal peace? in the uncertainty of being put in commission? in the downright impossibility of advancement? Nothing to make you suspect that he imputes as a contrivance, what was the manifest result of an accidental contingency? Does he claim on the ground of *sacrificed affection?* Oh, Gentlemen, *only fancy what he has lost*—if it were but the *blessed raptures of the bridal night!* Do not suppose I am going to describe it; I shall leave it to the Learned Counsel he has selected to compose his epithalamium. I shall not exhibit the *venerable trembler*—at once a relic and a relict; with a grace for every year and a Cupid in every wrinkle—affecting to shrink from the flame of his impatience, and fanning it with the ambrosial sigh of sixty-five!! I cannot paint the fierce meridian transports of the honeymoon, gradually melting into a more chastened and permanent affection—every *nine months* adding a link to the chain of their delicate embraces, until, too soon, Death's broadside lays the Lieutenant low, consoling, however, his patriarchal charmer, (old enough at the

time to be the *last wife of Methusalem*) with a fifty pound annuity, being *the balance of his glory against His Majesty's Ship, the Hydra!!*

Give me leave to ask you, Is this one of the cases, to meet which, this very rare and delicate action was intended? Is this a case where a reciprocity of circumstances, of affection, or of years, throw even a shade of rationality over the contract? Do not imagine I mean to insinuate, that under no circumstances ought such a proceeding to be adopted. Do not imagine, though I say this action belongs more naturally to a female, its adoption can never be justified by one of the other sex. Without any great violence to my imagination, I can suppose a man in the very spring of life, when his sensibilities are most acute, and his passions most ardent, attaching himself to some object, young, lovely, talented, and accomplished, concentrating, as he thought, every charm of personal perfection, and in whom those charms were only heightened by the modesty that veiled them; perhaps his preference was encouraged; his affection returned; his very sigh echoed until he was conscious of his existence but by the soul-creating sympathy—until the world seemed but the residence of his love, and that love the principle that gave it animation— until, before the smile of her affection, the whole spectral train of sorrow vanished, and this world of woe, with all its cares and miseries and crimes, brightened as by enchantment into anticipated paradise!! It might happen that this divine affection might be crushed, and that hea-

venly vision wither into air at the hell-engendered pestilence of parental avarice, leaving youth and health, and worth and happiness, a sacrifice to its unnatural and mercenary caprices. Far am I from saying, that such a case would not call for expiation, particularly where the punishment fell upon the very vice in which the ruin had originated. Yet even there perhaps an honourable mind would rather despise the mean, unmerited desertion. Oh, I am sure a sensitive mind would rather droop uncomplaining into the grave, than solicit the mockery of a worldly compensation! But in the case before you, is there the slightest ground for supposing any affection? Do you believe, if any accident bereft the Defendant of her fortune, that her persecutor would be likely to retain his constancy? Do you believe that the marriage thus sought to be enforced, was one likely to promote morality and virtue? Do you believe that those delicious fruits by which the struggles of social life are sweetened, and the anxieties of parental care alleviated, were ever once anticipated? Do you think that such an union could exhibit those reciprocities of love and endearments by which this tender rite should be consecrated and recommended? Do you not rather believe that it originated in avarice — that it was promoted by conspiracy — and that it would not perhaps have lingered through some months of crime, and then terminated in an heartless and disgusting abandonment?

Gentlemen, these are the questions which you will discuss in your Jury-room. I am not afraid of

your decision. Remember I ask you for no mitigation of damages. Nothing less than your verdict will satisfy me. By that verdict you will sustain the dignity of your sex—by that verdict you will uphold the honour of the national character—by that verdict you will assure, not only the immense multitude of both sexes that thus so unusually crowds around you, but the whole rising generation of your country, That MARRIAGE CAN NEVER BE ATTENDED WITH HONOUR OR BLESSED WITH HAPPINESS, IF IT HAS NOT ITS ORIGIN IN MUTUAL AFFECTION. I surrender with confidence my case to your decision.

[The Damages were laid at 5000*l.*, and the Plaintiff's Counsel were, in the end, contented to withdraw a Juror, and let him pay his own Costs.]

A

CHARACTER

OF

NAPOLEON BUONAPARTE,

DOWN TO THE PERIOD OF

HIS EXILE TO ELBA.

HE is FALLEN!

We may now pause before that splendid prodigy, which towered amongst us like some ancient ruin, whose frown terrified the glance its magnificence attracted.

Grand, gloomy, and peculiar, he sat upon the throne, a sceptered hermit, wrapt in the solitude of his own originality.

A mind bold, independent, and decisive—a will, despotic in its dictates—an energy that distanced expedition, and a conscience pliable to every touch of interest, marked the outline of this extraordinary character—the most extra-

ordinary, perhaps, that, in the annals of this world, ever rose, or reigned, or fell.

Flung into life, in the midst of a Revolution, that quickened every energy of a people who acknowledged no superior, he commenced his course, a stranger by birth, and a scholar by charity!

With no friend but his sword, and no fortune but his talents, he rushed into the lists where rank, and wealth, and genius had arrayed themselves, and competition fled from him as from the glance of destiny. He knew no motive but interest—he acknowledged no criterion but success —he worshipped no God but ambition, and with an eastern devotion he knelt at the shrine of his idolatry. Subsidiary to this, there was no creed that he did not profess, there was no opinion that he did not promulgate; in the hope of a dynasty, he upheld the crescent; for the sake of a divorce, he bowed before the Cross: the orphan of St. Louis, he became the adopted child of the Republic: and with a parricidal ingratitude, on the ruins both of the throne and the tribune, he reared the throne of his despotism.

A professed Catholic, he imprisoned the Pope; a pretended patriot, he impoverished the country; and in the name of Brutus*, he grasped without

* In his hypocritical cant after Liberty, in the commencement of the Revolution, he assumed the name of Brutus —— Proh Pudor!

remorse, and wore without shame, the diadem of the Cæsars!

Through this pantomime of his policy, Fortune played the clown to his caprices. At his touch, crowns crumbled, beggars reigned, systems vanished, the wildest theories took the colour of his whim, and all that was venerable, and all that was novel, changed places with the rapidity of a drama. Even apparent defeat assumed the appearance of victory — his flight from Egypt confirmed his destiny — ruin itself only elevated him to empire.

But if his fortune was great, his genius was transcendent; decision flashed upon his councils; and it was the same to decide and to perform. To inferior intellects, his combinations appeared perfectly impossible, his plans perfectly impracticable; but, in his hands, simplicity marked their developement, and success vindicated their adoption.

His person partook the character of his mind— if the one never yielded in the cabinet, the other never bent in the field.

Nature had no obstacles that he did not surmount—space no opposition that he did not spurn; and whether amid Alpine rocks, Arabian sands, or polar snows, he seemed proof against peril, and empowered with ubiquity! The whole continent of Europe trembled at beholding the audacity of his designs, and the miracle of their execution. Scepticism bowed to the prodigies of his performance; romance assumed the air of history; nor

was there aught too incredible for belief, or too fanciful for expectation, when the world saw a subaltern of Corsica waving his imperial flag over her most ancient capitals. All the visions of antiquity became common places in his contemplation; kings were his people — nations were his outposts; and he disposed of courts, and crowns, and camps, and churches, and cabinets, as if they were the titular dignitaries of the chess-board!

Amid all these changes he stood immutable as adamant. It mattered little whether in the field or the drawing-room—with the mob or the levee —wearing the jacobin bonnet or the iron crown — banishing a Braganza, or espousing a Hapsburgh — dictating peace on a raft to the czar of Russia, or contemplating defeat at the gallows of Leipsic — he was still the same military despot!

Cradled in the camp, he was to the last hour the darling of the army; and whether in the camp or the cabinet he never forsook a friend or forgot a favour. Of all his soldiers, not one abandoned him, till affection was useless, and their first stipulation was for the safety of their favourite.

They knew well that if he was lavish of them, he was prodigal of himself; and that if he exposed them to peril, he repaid them with plunder. For the soldier, he subsidised every people; to the people he made even pride pay tribute. The victorious veteran glittered with his gains; and the capital, gorgeous with the spoils of art, became the miniature metropolis of the universe. In this wonderful combination, his affectation of literature must

not be omitted. The gaoler of the press, he affected the patronage of letters — the proscriber of books, he encouraged philosophy — the persecutor of authors, and the murderer of printers, he yet pretended to the protection of learning! — the assassin of Palm, the silencer of De Stael, and the denouncer of Kotzebue, he was the friend of David, the benefactor of De Lille, and sent his academic prize to the philosopher of England.*

Such a medley of contradictions, and at the same time such an individual consistency, were never united in the same character. A Royalist — a Republican and an Emperor — a Mahometan — a Catholic and a patron of the Synagogue — a Subaltern and a Sovereign — a Traitor and a Tyrant — a Christian and an Infidel — he was, through all his vicissitudes, the same stern, impatient, inflexible original — the same mysterious incomprehensible self — the man without a model, and without a shadow.

His fall, like his life, baffled all speculation. In short, his whole history was like a dream to the world, and no man can tell how or why he was awakened from the reverie.

Such is a faint and feeble picture of NAPOLEON BUONAPARTE, the first (and it is to be hoped the last) Emperor of the French.

That he has done much evil there is little doubt; that he has been the origin of much good, there is

* Sir Humphry Davy was transmitted the first prize of the Academy of Sciences.

just as little. Through his means, intentional or not, Spain, Portugal, and France have arisen to the blessings of a Free Constitution; Superstition has found her grave in the ruins of the Inquisition*; and the Feudal system, with its whole train of tyrannic satellites, has fled for ever. Kings may learn from him that their safest study, as well as their noblest, is the interest of the people; the people are taught by him that there is no despotism so stupendous against which they have not a resource; and to those who would rise upon the ruins of both, he is a living lesson that if ambition can raise them from the lowest station, it can also prostrate them from the highest.

* What melancholy reflections does not this sentence awaken! But three years have elapsed since it was written, and in that short space all the good effected by Napoleon has been erased by the Legitimates, and the most questionable parts of his character badly imitated!—His Successors want nothing but his Genius.

THE END.

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ERRATA.

Page viii. Preface line 5. from bott. for "Burke," r. *Busbe.*
Page 16. line 4. from bott. for "learn the alphabet," r. *learn the rudiments.*

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